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LIFE

OF

WILLIAM, EARL OF SHELBURNE.

LIFE

OF

WILLIAM, EARL OF SHELBURNE,

AFTERWARDS

FIRST MARQUESS OF LANSDOWNE.

WITH

EXTRACTS FROM HIS PAPERS AND CORRESPONDENCE.

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BY

LORD EDMOND FITZMAURICE.

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VOLUME II.

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PREFACE.

In the preparation of this Volume, I have had the advantage of the use of the Autobiography of the Duke of Grafton, the Minister, which the present Duke with great generosity placed at my disposal. I have also to thank the Earl of Carnarvon for allowing me access to the papers of the Colonial Office, now in the Public Record Office. From Mr. Hutton I have received much valuable information, which I am glad to have this opportunity of acknowledging.

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ERRATA.

VOL. I.

Page 7 (note), *for* "created Lord" *read* "who married Lady."

„ 50. (note), *for* "Oxford" and "Bute" *read* "Orford" and "Bath."

„ 389, *for* "Fitzmaurice" *read* "Fermor."

„ 400, 401, *for* "Basherville" *read* "Baskerville."

THE LIFE

OF

WILLIAM, EARL OF SHELBURNE.

CHAPTER I.

THE SECRETARYSHIP OF STATE.

1766–1767.

THE office of Secretary of State at the time that Shelburne, then twenty-nine years of age, accepted the seals under Chatham, was divided into the Southern and Northern departments. The former had the management of Home and Irish affairs and of the correspondence with the States of Western Europe, India, and the Colonies; the latter that of the correspondence with the States of Europe not included in the sphere of the Southern Department, the Secretary of which ranked officially before his colleague. During the administration of Rockingham a proposal had been made to separate the American from the European business, and to appoint Dartmouth Colonial Secretary, putting an end at the same

time to the inferior position occupied by the Board of Trade, which in fact was to be raised into a separate and independent department. This scheme however was never carried out, and the old distribution of business still existed when Rockingham resigned.

The evils of a divided administration of the Colonies had attracted the attention of Chatham. His first act on acceding to power was to determine once and for all to put an end to it. It was possible either, as Rockingham had intended, to make a third Secretaryship of State, or to reduce the Board of Trade to a mere "Board of Report upon reference to it for advice or information on the part of the Secretary of State."* The latter was the course now adopted, and Shelburne who held the seals of the Southern department, was directed to carry it out in conjunction with Hillsborough the President of the Board. Hillsborough appears to have been ready not only to accept his office reduced to even a smaller degree of importance than it had occupied before the minute of 1752,† which was now

* Marginal note by Hillsborough on a letter from Shelburne of August 16th, 1766.

† See vol. i. p. 240 for an account of the relations of the Board of Trade, and the office of the Secretary of State. For the settlement now made, see Order in Council, August 8th, 1766; Hillsborough to Shelburne, August 14th, 1766; Shelburne to Hillsborough, August 16th, 1766; Hillsborough to Shelburne, August 25th, 1766; Shelburne to Hillsborough, August 26th, 1766.

revoked but to have insisted on the new commission being made out in terms which could leave no loophole to the Board for advancing claims to independent action at any future time. Freed from this embarrassment Shelburne was able to give undivided attention to his department.

Ever since the peace, Choiseul and Grimaldi had been scheming how to win back what they had lost. They had gained Austria to their alliance;* they were intriguing in Stockholm,† and plotting in Copenhagen;‡ they were fishing in the troubled waters of Polish politics;§ their emissaries traversed the English Colonies;‖ their spies surveyed the defences of the English coast;¶ Portsmouth was to be destroyed,** and Gibraltar to be seized by a *coup de main*;†† Avignon was to be annexed to France,‡‡ and Portugal to Spain;§§ Corsica was to

* Rochfort to Halifax, June 25th, 1764, June 9th, 1765.

† Sir John Goodricke to Conway, November 10th, 1766, and a paper at Lansdowne House "endorsed French views on Sweden."

‡ Gunning to Conway, October 21st, 1766.

§ Wroughton to Conway, November 12th, 1766.

‖ See the authorities quoted by Bancroft, v. 19.

¶ See Stanhope, v. 247.

** See the secret despatches of Rochfort, September 17th, 1764, and February 25th, 1765, given in Coxe's "Memoirs of the House of Bourbon," iii. 298.

†† See Shelburne to Devisme, December 20th, 1766.

‡‡ Coxe, iii. 339; Henri Martin, xvi. livre 6.

§§ Coxe, iii. 297; Devisme to Shelburne, November 1766, February 9th, 1767.

be invaded;* Geneva was threatened.† But the time for overt action had not yet arrived, and the two Ministers resolved to wait, ti l the financial difficulties of France and the domestic troubles of Spain could be surmounted, and in the interval to rest satisfied with delaying the settlement of the outstanding questions with England, keeping them as a useful pretext for a rupture when a favourable moment arrived. Their only fear was lest Chatham should precipitate hostilities.‡

"Mon but," said Choiseul to Merci, "est de ménager les esprits en Angleterre; c'est ce que je recommande sans cesse à Monsieur de Guerchy, et je m'applaudis d'être parvenu à faire suivre mon plan en Espagne. Nous aurons certainement en 1770 la plus belle armée, une marine respectable et de l'argent en caisse. Les ministres du roi travaillent avec le plus grand zèle et la meilleure intelligence à ces trois objets; c'est ce que plusieurs fois j'ai fait connoître à M. de Starenberg." §

* Hertford to Halifax, August 12th, 1764.

† Hutton to Shelburne, November 1766.

‡ See vol. i. p. 412.

§ Extract from an intercepted letter of Merci, dated December 22nd, 1766, enclosed in Rochfort to Shelburne, January 7th, 1767. Merci was of the same Lorraine family which gave the two illustrious generals of that name to the Empire. He was Secretary of the Embassy at this time. Starenberg had just resigned the post of Ambassador, to become Ministre d'État at Vienna.

In keeping with this policy of delay no real steps had been taken to carry out the demolition of the harbour of Dunkirk; while English traders were subject to numberless vexations in French ports, on the pretext that owing to the 8th and 9th clauses of the Treaty of 1713 not having been carried into effect, the remainder of the commercial clauses were void, notwithstanding the written declaration of the French Commissaries to the contrary.* The Manilla ransom remained unpaid, and at the same time an adverse claim was set up by Spain to the possession of the Falkland Islands. †

The incapacity of the predecessors of Chatham had encouraged the two ministers in their aggressive designs. George Grenville, according to Johnson, "had powers not universally possessed; could he

* See Rochfort to Shelburne, February 27th; Shelburne to Rochfort, March 13th, 1767. As to the 8th and 9th clauses of the treaty of Utrecht, see Stanhope, i. 48.

† The fortifications of Dunkirk were demolished and the basin filled up in consequence of the treaty of Utrecht 1713. The same stipulations were inserted in the treaty of Aachen, 1748, and the treaty of Paris, 1763, but they always led to difficulties, the French attempting to evade their real execution.

On the surrender of the Manilla 1762, the Archbishop purchased the exemption of the city from plunder by paying four millions of dollars. Of this sum two millions were in bills on the Spanish Treasury, which on presentation were rejected, on the ground that the capitulation had been extorted by force and that the city had been plundered.

In 1748 an expedition was fitted out to settle the Falkland

have enforced payment of the Manilla Ransom, he could have counted it,"* but how to enforce payment of it was beyond his comprehension. To Chatham these delays were intolerable. Aware of the hostile intentions of France and Spain, he attempted to form a great northern alliance for defensive purposes, and confiding this negotiation to Conway, Sir Andrew Mitchell, and Mr. Stanley,† he instructed Shelburne to insist on the immediate settlement of the outstanding claims of England against France and Spain. Shelburne himself was keenly desirous of the preservation of the Peace of 1763, towards the conclusion of which he had himself contributed, but he had also a keen sense of the honour of his country. He informed Masserano, the Spanish Ambassador, of "the steady resolution

Islands, but abandoned in order to avoid a quarrel with Spain, which had protested. The Spanish right to them was however not conceded. Bougainville began a settlement on them in 1764, but Spain again protested, and France, glad of an opportunity of conciliating an ally by a concession in itself of no value, transferred the settlement to Spain. At the same time as Bougainville, Commodore Byron settled another of the islands, and it was against this settlement called Port Egmont that the Spaniards now protested.

* Boswell's "Life of Johnson," iii. 152.

† The negotiations for this alliance failed, owing to Russia insisting on making a Turkish war into a *casus fœderis*, and to the doubts entertained by Frederick the Great of the stability of the English administration, which caused him to prefer a close alliance with Russia. The partition of Poland was already on the tapis.

of the King's servants to insist on the just claim of his subjects to the ransom of Manilla, and with the unalterable sentiments of His Majesty and his ministers on the equity of his demand,"* adding "that if the Spaniards in talking of their possessions included the American and Southern Seas, and our navigating these gave occasion to them to suspect a war, he had no hesitation to say that he would advise one, if they insisted on renewing such a vague and strange pretension long since worn out."† Similar language was held to Guerchy, who with Choiseul, saw in the energetic attitude of the new Secretary of State a sudden and unexpected danger to his own designs. "Les propositions de mylord Shelburne," said Choiseul, "sont aussi indiscrètes qu'effrayantes, mais il faut se flatter que quand il aura été quelques mois en place, il verra qu'entre les projets de guerre et l'exécution, il se rencontre beaucoup de difficultés, et nous osons nous flatter qu'il trouvera que les ailes de la France ne sont pas toujours aussi aisées à couper que l'on se permet de dire dans la conversation en Angleterre. Au reste, Monsieur, quand vous verrez le Ministre anglais, vous lui marquerez le désir ardent du roi de maintenir la paix qui subsiste si heureusement entre les

* Shelburne to Devisme, August 22nd, 1766.

† Paper endorsed "Lord Shelburne's conversation with Prince Masserano about navigating in the Southern Seas, the Falkland Islands, etc.," September 1767.

deux Cours; vous lui direz que le système sur cet objet est que nous voulons éviter tout ce qui pourrait troubler une tranquillité qui nous est chère; que nous employerons à cet objet les moyens de justice et de complaisance, et qu'en même temps vous avez ordre de prévenir le ministère de S. M. Britannique que le roi s'attend au même désir de conserver la paix, et à la même justice de la part de la Cour de Londres, sans quoi il sera impossible de parvenir à un but aussi désirable, et que le roi n'agréera jamais quelque acte qui soit contraire à la dignité de sa personne.

"Vous ajouterez, Monsieur, que les alliances du roi ne menacent en aucune façon le repos de l'Europe; que vainement voudrait-on, pour excuser des arrangements dangereux au système pacifique de la France, faire envisager le Pacte de Famille comme un traité ambitieux contre lequel les puissances doivent être en garde; que ce pacte ne contient de choses que celles qui peuvent préserver la maison de Bourbon d'entreprises injustes; que nous doutons que les intrigues qui se passent dans le Cabinet de S. M. Britannique soyent aussi innocentes; et que cependant nous n'en sommes pas effrayés, connaissant la droiture du roi d'Angleterre, et le fondement que le roi veut faire sur l'amitié de S. M. Britannique.*

Choiseul having sent these instructions to the re-

* Choiseul to Guerchy, 11th August, 1766.

presentative of France in England, now employed all his diplomatic skill to gain time, in order to convince those with whom he had to negociate that his intentions were strictly pacific. The English Embassy in Spain was vacant, and the Earl of Rochfort had been just appointed to Paris. "The three articles," writes Shelburne to Chatham, who was again ill, "proposed to be added to the instructions given the former Ambassador, will convey to your Lordship the general line of what I took the liberty to recommend more particularly to his attention. The article of Dunkirk I found very strongly stated in the former instructions. The Duke of Richmond made Dunkirk his road. Lord Rochfort begs not to do this; as he said it was the first thing that disgusted not only the Court but the people of France against the Duke of Richmond; but that he will be very ready to go some time hence from Paris to examine the state of it.

"I took care to lay before the King the contents of your Lordship's last letter. It had come round to the King that if a nobleman was not sent to Spain, Prince Masserano would be recalled in order to send a man of inferior rank.* This, as well as other considerations, has made the King very desirous that some nobleman should be found, and made General

* Lord Bristol the English Ambassador to Spain, had accepted the Lord Lieutenancy of Ireland.

Conway think of Lord Hillsborough. I cannot say it met my idea, not because I do not think Lord Hillsborough most extremely fit, but I am convinced all things considered that he will also decline; but as the King put it upon my saying that his affairs might suffer from a delay of ten days, and that otherwise he thought it convenient for his service that the offer should go, having stated my opinion I did not think my objection of weight enough to urge it further." *

The projected appointment was most distasteful to Chatham. He begged that when the offer was made, Lord Hillsborough should be informed that it did not come "with his advice or suggestion," since, had he judged that Lord Hillsborough could be spared from the royal service at home he would have thought of his Lordship for Spain "first not last;" and he went on to "own that the incident made no small impression upon his mind, and gave him abundant room to think that he was not likely to be of much use." † It is difficult not to see in this strange and perverse complaint, the first symptom of the malady which afterwards destroyed the Administration. Other circumstances besides the constant ill-health of Chatham were already beginning to weaken it. An apprehended scarcity had

* Shelburne to Chatham, October 18th, 1766.

† Chatham to Shelburne, October 19th, 1766.

occasioned the issue of an Order in Council on the 24th of September laying an embargo on corn. When Parliament met fierce debates arose on the constitutional character of this proceeding. These debates, in which Richmond and Mansfield appeared as the assailants and Chatham with Shelburne and Camden * as the defenders of prerogative, were not of advantage to the administration. Quarrels about an appointment at Court, caused mainly by the arrogance of Chatham in the distribution of patronage, had at the same time alienated Conway, and led to the resignation of the greater part of those Whigs, who had not left office with Rockingham in July. On the other hand, the Duke of Bedford refused to give the support which was now asked of him.

These early signs of weakness were eagerly scanned by the astute diplomatists of France and Spain, but as yet the injury done was slight. "On the whole," said Walpole "the session has ended very triumphantly for the great Earl."† Choiseul thought so too. Early in November he

* From a letter of September 23rd from the King to Shelburne it appears that both Camden and Northington opposed the issue of the Order in Council, of which Chatham was the chief adviser. See Chatham to Townshend, September 24th, 1766. It was the defence made by Camden in the House of Lords, that this stretch of the prerogative "was at worst but a forty days' tyranny" which excited the most clamour.

† Walpole to Montagu, December 12th, 1766.

told Rochfort that he had dissuaded Masserano * from presenting a very strongly-worded memorial under the influence of the excited feelings which prevailed at Madrid on the subject of the Falkland Islands, † adding that if the question were left to him "he could settle it in half an hour." The same phrase it came out had been used almost at the same time by Masserano in London, and being reported to Shelburne ‡ led to an interview, when the Spanish Ambassador said "that the Manilla Ransom should be paid in January, if the point about the Falkland Islands could be accommodated." § A similar declaration was made at the same time by Choiseul to Lord Hertford then in Paris, and was communicated to the English Administration. ‖ To this proposition Shelburne replied in a conciliatory spirit, refusing the direct mediation of France in a question which concerned England and Spain alone, at the same time expressing his willingness to treat the two questions of the ransom and the settlement of the islands together, if by that means an agreement could be more easily reached. ¶ When, how-

* Rochfort to Shelburne, November 5th, 1766.

† Devisme to Shelburne, September 15th, November 10th, 1766.

‡ Shelburne to Rochfort, November 22nd, 1766.

§ Shelburne to Rochfort, November 17th, 1766.

‖ Hertford to Conway, October 20th; Shelburne to Rochfort, November 17, 1766.

¶ Shelburne to Rochfort, November 17th, 1766.

ever, the question was further gone into, Guerchy declared that what Choiseul had meant was that if the settlement on the Falkland Islands was abandoned by England, the Manilla Ransom might be paid subject to the arbitration of France as to the amount, an announcement which caused Chatham to declare that the original proposal was not merely changed "mais qu'il s'évanouit."*

Rochfort at one moment conceived that England might consent to the amount of the payment being made a subject of arbitration, but Shelburne refused arbitration on the amount of the payment, as his predecessor had on the whole question. Masserano himself had declared that "as the King of Spain's dignity alone was in question, and his desire of strict justice was the sole motive of his conduct, he should in consequence always think himself obliged to pay the whole or none."† Availing himself of this declaration Shelburne insisted on the payment of the whole sum due, offering in return that the settlement on the Falkland Islands should be abandoned by England, the right of settlement in the future being however reserved.‡ "The King's sincerity is

* Shelburne to Rochfort, November 29th, 1766, December 12th, 1766.

† Rochfort to Shelburne, December 4th, 1766; Shelburne to Rochfort, December 12th, 1766; Shelburne to Rochfort, January 23rd, 1767.

‡ Shelburne to Rochfort, January 2, 1767.

undoubted," he wrote, "as appears by the whole transaction. His steadiness I am certain will not be less. If any attempt therefore is made to negotiate away the substance of the proposal first made to His Majesty, your Excellency may be assured, that His Majesty will not listen to it, so that if the Ministers of Spain endeavour on the return of their messengers to start fresh difficulties, the only consequence will be, that the station in question at the Isles of Falkland, the importance of which His Majesty fully knows, will remain open to be established by His Majesty, and the Manilla Ransom cannot be forgotten by His Majesty nor his subjects, till some happier moment shall come, when the Minister of the Court of Spain may be more disposed to do justice, where it is so unquestionably due. In the meantime it may be easily judged whether the conduct of His Majesty tends most to preserve the public tranquillity, or that of France and Spain."

Thus wrote Shelburne, but the internal divisions of the English Cabinet on the affairs of India and of America, now coinciding with the failure of the Northern alliance, rendered vigorous action impossible, and left Grimaldi and Choiseul to pursue their policy of delay in safety, till the moment for aggression arrived.*

Of all her recent territorial acquisitions England

* Grimaldi to Masserano, March 23rd; Rochfort to Shelburne, March 7th, 1767.

had been most dazzled by those which had fallen to her share in India. It was believed that now in reality "the gorgeous East was held in fee." Distance lent enchantment to the view: young and old, rich and poor, were eager to bathe in the stream of the new Pactolus which was believed to have turned its course and to be rolling its waves towards England. The violent discussions at the India House served to keep up a constant excitement, and attracted an interest which equalled, if it did not exceed, that felt in the debates of Parliament. The charter of the East India Company was to expire in a few years, and the more enlightened of the directors were beginning to realize, that unless the period which had still to elapse before the expiration of the exclusive privileges they possessed, were employed in setting their house in order and coming to an equitable arrangement with the Government, they might see an end put to their monopoly and a corresponding fall in the value of Indian stock which now stood at a gigantic premium. They also knew that there was an element of uncertainty in the title to a great portion of their present possessions, which made it advisable for them to agree quickly with their adversaries.

The treaties negotiated by Clive had raised the Company from the position of a trading cor-

poration with a monopoly, to that of the sovereign of vast and growing territories. Their income, large in reality, larger yet in popular estimation, consisted of two parts: trade profits on the one hand, territorial revenue on the other. But this increase of wealth had caused no increased sense of responsibility, either in the proprietors at home, or in their servants in India. The rapacity of the one was only equalled by the cruelty of the other: the horrors of the Blackhole were only exceeded by the crimes of the English invaders. As far back as 1759 Clive had himself declared to Pitt that it was doubtful if the Company could govern such vast possessions,* but since that time those possessions had been more than doubled by Clive himself, who though the unsparing enemy of the abuses of the Company, had been himself too much implicated in transactions of a doubtful character, justifiable only by the circumstances of time and place, to make it possible for him to appear with advantage as the critic of the short-comings of others. Nor does he appear to have ever been sincerely desirous of seeing a limit put to the territorial acquisitions of the Company. Thus, although the letter of instructions sent out to him by the Treasury Committee of the India House in September 30th, 1765, stated "that experience had shown that an influence maintained

* Colonel Clive to Mr. Pitt, January 7th, 1759.

by force of arms is destructive of that commercial spirit which we ought to promote, ruinous to the Company and oppressive to the country," and went on to say "we earnestly recommend to your Lordship to exert your utmost influence to conciliate the affections of the country powers, to remove any jealousy they may entertain of our unbounded ambition, and to convince them that we aim not at conquest and dominion, but at security for carrying on a free trade equally beneficial to them and to us;"* yet practically the triumph of Clive at the India House in 1765, previous to his last mission, had meant the triumph of the policy of territorial aggrandizement, as the event soon proved. Of this policy the chief opponent was Lawrence Sullivan, long the rival of Clive, and the friend of Shelburne. He was desirous of confining the action of the Company within the terms of their charter as a trading corporation, denying the expediency of their holding a territorial revenue.† Vansittart, once Governor of Bengal, wished the Company to retain their present territories, but not to extend them.‡ It was generally agreed that the annual election of the Directors acted as a shield to corruption, that the qualification

* From a series of notes taken by Barré from the papers laid before Parliament.

† Sullivan to Shelburne, November 1766.

‡ Vansittart to Shelburne, October 1766.

for a vote at the India House ought to be raised—it was now the possession of £500 of stock—and that fictitious votes should if possible be abolished, but there agreement stopped, and meanwhile it rained schemes.

In this position Shelburne found Indian affairs. His accession to office had been received with apprehension by the friends of Clive, with joy by those of Sullivan.* But though fully aware that danger threatened them, the Court of Proprietors in September 1766, maddened with the thirst of gain, and careless that their first duty was to reduce their large liabilities, proposed in defiance of the wishes of the directors, to raise the dividend at once from six to ten per cent. in the current half-year. The ministers thereupon sent a warning note. But advice was useless. "Nothing," writes Shelburne to Chatham, "can be so unsatisfactory as the state of the Indian business is become. Notwithstanding the communication of Government, the advice of the directors and of the honestest proprietors, they came to a declaration of increase of dividend by a great majority composed of factious sets of men, and appointed the Thursday after to go greater lengths as to Lord Clive, &c.; but though the majority was very great, the public confidence did not follow it, and the stock stood;

* Walsh to Clive, October 1766.

till they have been obliged to prevent its falling, to retreat, and join the others in a general language of entire confidence in Parliament." *

Shelburne was among those who denied the right of the company to territorial revenue, and starting from this position he briefly sketched the heads of a plan of reform as follows :—†

"Three points are to be considered. (1). The right as to the Charter. (2). The advantages that the public can avail itself of, with due regard to the trade, always the first object to it and to the company itself. (3). The mode of doing it.

1. The Charter. Clear.

2. What may be done. As this company is become an object of public policy, and the support of the trade greatly depends upon the future support, as it appears hitherto to have existed by the aid of Government, and as a particular set of proprietors may be led away by the hopes of present profit, (not having the proper materials before them to judge of points of general policy, which may be intermixed with other considerations regarding the general interests of the State both at home and with foreign Powers,) it seems absolutely necessary to prohibit for the future their raising the dividend further without consent of Parliament, so as to prevent the dan-

* Shelburne to Chatham, October 5th, 1766.

† In the Lansdowne House MSS.

gerous consequences which might result from the nation being at any time embarked in disputes, and so great a trade being hazarded, without Parliament being apprized of the danger, or being able timely to consider of such remedies as may suggest themselves to prevent such dangers.

3. (*a*) The dividend for —— years to remain fixed at ten per cent. The term should be such that at the end of it we may better be able to distinguish between the profits of the trade and the revenue, and likewise give proper encouragement to the company in future.

(*b*) The savings after payment of the dividend, and after properly providing for the cost of collection, and the payment of the troops, to be applied to a fund at the disposition of Parliament.

(*c*) The increase of their trade and re-exportation to be encouraged by all possible means, in order to enable them to bring home the fruits of their possessions in India.

(*d*) The powers of the direction at home and in India to be made more permanent, so as to reconcile the Government to the natives, and make the servants more honest and obedient.

(*e*) A proper check to be considered to make the directors act honestly and give a fair account."

Alarmed at the consequences of their own temerity, the proprietors, as Shelburne had informed

Chatham, resolved to treat. Early in January 1767 they began by stating the points on which, in their opinion, it was necessary to make an agreement with the Administration; but not a word appeared in the report of their Treasury Committee, appointed to examine these points, as to the concessions to be made to the State for the grant of the privileges which the Report recommended should be asked. Yet the Company was not acting without deliberation. It had secured a friend in Charles Townshend, who, regardless alike of the opinions of Chatham on Indian Government and of Shelburne on American taxation, had determined to conciliate the powerful Indian connection at home, and to obtain a revenue by once more attacking the distant American Colonies, the opposition of which, unwarned by recent events, he ventured to despise.

To rouse the spirit of the members of the House of Commons was the surest means, according to Chatham, of making an advantageous bargain with the company. At his suggestion papers relating to India had been moved for by Beckford, and obtained notwithstanding the opposition in the Cabinet of Townshend.* Their discussion, after several delays

* Chatham to the Duke of Grafton, December 7th, 1766. The first propositions of the East India Company will be found in the Chatham Correspondence, iii. 164–165. 2 January, 1767.

was fixed for January 21st. When the day arrived Charles Townshend at once appeared on the scene, and declared he believed the company had a right to territorial revenue.* "Soon after I came to town," wrote Shelburne to Chatham, "the Chairman and Deputy Chairman came to me to speak about their accounts with the French for prisoners, which are still unpaid. They took occasion at the same time to enter into their general situation. They declared they did not think themselves authorized by the general Court, to do more than to desire of the Administration certain powers which are wanted for the better regulation of the Company's affairs in India, and to hear what Government may expect for them and for a new charter. Further they did not think themselves authorized to go, without fresh powers; and in their private opinions they did not see how that could be, till some authentic determination was come to, to decide the right; upon which it was well known there were different opinions, not only in the city, but in Parliament. This was their language to me, to which I returned a very general answer.

"The Chancellor of the Exchequer whether that they had more confidence in him or that from a more intimate communication with them he was able to inspire them with his sentiments, has been uniform

* Beckford to Chatham, January 27th, 1767.

in believing they would come to Government, and with such a proposal as would be approved by Parliament. He has gone so far as to declare it as his opinion to the House; upon which the printing of the papers was stopped, and the stock rose. In the meantime the directors have said nothing, nor taken any step worth mentioning, and the matter stands there. Mr. Beckford is at a loss how to prosecute the inquiry in this situation, when the Committee meets on Friday. I take it for granted your Lordship will choose to explain yourself to the Duke of Grafton, in consequence of whatever may occur to you upon it; but it was impossible to write without mentioning the greatest point a nation ever had depending; and that is all I mean."*

Chatham replied:

"My letter by the post† will have apprised your Lordship of my thoughts concerning the present period of the East India inquiry. I remain fully persuaded that Mr. Townshend's declaration in the House, with regard to an expected proposal, must necessarily suspend all operations for a competent time till the proposal shall be produced or be formally disavowed. In the meantime it is not to be permitted to suppose such levity and indiscretion in

* Shelburne to Chatham, February 1st, 1767.

† This letter is printed in the Chatham Correspondence, vol. iii. p. 181–182.

man, as to doubt of the grounds of such a declaration. A proposal therefore I take for granted will come; and when it shall be before the House, the ways to ulterior and final proceedings upon this transcendant object, will open themselves naturally and obviously enough, and acquire double force and propriety."*

On the 6th of February the proposals of the Company were imparted to the Administration. They bore the stamp of the ideas put forward by the Chairman in his recent conversation with Shelburne. Chatham at once declared them "inconclusive and inadmissible," at the same time that he suggested the following scheme of Parliamentary action.†

1. "The whole proposal to be moved for by some member and laid before Parliament.

2. "The papers which are already before the House to be moved for, to be printed.

3. "Not to proceed to the decision of the question of right on Friday.‡

4. "The Committee to adjourn for a week or to some proper day.

5. "When they do proceed to begin by stating facts exactly resulting from premises, viz:

* Chatham to Shelburne, February 3rd, 1767.

† Memorandum sent by Chatham to Shelburne on the receipt of the proposals of the company. The latter are given in the Chatham Correspondence, vol. iii. p. 196.

‡ February 20th.

(α) "That it appears by the Charter, Acts, &c., that the East India Company was instituted for the purposes of trade.

(β) "That the acquisitions and cessions of territories and revenues obtained in India from the time of the retaking Calcutta from the country powers by the company, were made in consequence of actual and extensive operations of war, and succours stipulated."

Thus clearly were the views of Shelburne and Chatham marked off from those of Charles Townshend. It was not, however, on Indian affairs alone that a difference of opinion existed. It was equally distinct on those of the American Colonies.

The Declaratory Act had spread an "unfortunate jealousy and distrust of the English Government throughout the Colonies."* Though the Stamp Act was repealed, there were questions still pending which might at any moment make that distrust a source of present danger. The Mutiny Bill had in 1765 been extended to America, and was not to expire for two years. It required the colonists to furnish the troops at their own expense, with "fire, candles, vinegar, salt, bedding, utensils for cooking, beer or cider, and rum." This statute was difficult to justify by those who condemned the

* Shelburne to Chatham, February 6th, 1767.

† February 5th, 1767.

Stamp Act as an infringement of colonial rights. Again, the repeal of the latter Act had been accompanied by a resolution of both Houses of Parliament, that it was their opinion that the colonial assemblies should compensate the sufferers by the riots of the preceding year. The sufferers were in England regarded as martyrs, in America as public enemies. Either of these questions might become dangerous, nor were there wanting violent men in America ready to fan the sparks of latent discontent, or bitter partizans in England ready to put the most unfavourable construction on whatever was said or done by the colonists.

Conway had in June, pursuant to the resolution of the two Houses, directed the several colonial governors to recommend their assemblies to compensate the sufferers by the riots. Bernard, Governor of Massachusetts—then as usual engaged in a variety of petty disputes with the House of Assembly—took occasion to use the word "*require*" instead of "*recommend*" in his address to that assembly, although the former word had been abandoned by the House of Lords after a long struggle with the House of Commons on the exact wording of the resolution.* Indignation was universal, and when in October the Assembly received petitions

* See the Journals of the two Houses for February, 1766, *passim*.

from the sufferers, Joseph Hawley of Northampton proposed to grant relief only on condition of a general pardon to the rioters. An adjournment took place in order to give time to the members to consult their constituents. Meanwhile the Rockingham administration had fallen, and the agent of Massachusetts informed his employers that the attitude of the new Secretary of State was very conciliatory, for he had told him "to assure the Assembly of Massachusetts that they might be perfectly easy about the enjoyment of their rights and privileges under the present administration."*

Shelburne at once redeemed the pledges he had given. "His Majesty," he writes to Bernard, "is extremely sorry to observe any degree of ill-temper remaining in his Colony of Massachusetts Bay, or that points should be so improperly agitated as to tend to the revival of disputes which every friend to America must wish to be forgotten. They have seen the Parliament of Great Britain give due attention to all well founded complaints of the Provinces, notwithstanding they appeared to them in some parts not so properly urged. Though the Legislature will certainly on all just occasions exercise and enforce its Legislative power over the

* Letter of the agent of Massachusetts to the Speaker of the House of Assembly, September 19th, 1766, quoted by Bancroft, iv. 29.

Colonies, yet it cannot be doubted but it will exert it with a due regard to the nature of their connection with the mother-country.

"Upon this occasion it is proper to observe in general that the ease and honour of His Majesty's government in America will greatly depend on the temper and wisdom of those who are entrusted with the Administration there, and that they ought to be persons disdaining narrow views, private combination, and partial attachments. A temperate conduct founded on the true basis of public good, avoiding all unnecessary reserve where nothing arbitrary is thought of, nothing unreasonable required, must carry conviction to the hearts of the deluded, conciliate the minds of all, and insure the confidence of his Majesty's loyal and loving subjects of America.

"Upon these considerations I am persuaded that the Assembly will immediately upon their meeting fall upon measures to terminate all local difficulties, which appear by your accounts to have hitherto prevented that compliance expected by Parliament, with the recommendations you have been required to make, in consequence of the resolutions of both Houses. It is impossible to conceive that they will suffer any private considerations to interfere with their desire of showing a proper sense of that paternal regard which they have experienced from his Majesty, and of that attention which Par-

liament has given to their complaints, which can never be done with more propriety than by granting with the utmost cheerfulness, a just compensation to those who have suffered by the late disorders."*

The friendly attitude of Shelburne seems to have caused a general willingness to grant relief to the victims of the riots, which was done; but Hawley's Bill passed at the same time, and the House of Assembly of Massachusetts, whether knowingly or unknowingly, thereby resolved to exercise the prerogative of mercy, the prerogative of the Crown and of the Crown alone.

A few months before these events the Assembly of New York had declined to take any notice of a requisition by the General and Governor, made upon them in accordance with the provisions of the Mutiny Act, and while they had by their own vote supplied the troops with necessaries, they had refused to furnish some articles which were, it was asserted, not habitually provided under similar circumstances in England. They now announced their intention of persevering in that course. Thus within a few months of the repeal of the Stamp Act two grave constitutional questions had already arisen between England and her colonies.

While these events were passing, Shelburne was applying himself to the general settlement of

* Shelburne to Bernard, October, 1766.

America: the task his fitness for which had in former years been insisted upon by Henry Fox.* He began by clearing out of his path a number of the small questions which had for some time past been cumbering the office. A boundary question between Massachusetts and New York was adjusted;† and the validity of ancient grants in Vermont under the seal of New Hampshire was determined.‡ He next proposed, contrary to the advice of Governor Carleton,§ to place Canada, like the other states, under a council, and assembly. To this council and assembly, to which Catholics were to be admitted, he desired to entrust the settlement of the conflict between the English and the French law, the latter of which still remained dear to the descendants of the ancient colonists. He checked the desire of the English Bishops to transplant the Episcopate to the colonies,‖ and he recommended that the tenure of the judges should be as in England

* Vol. i. p. 197.

† Shelburne to Bernard, December 11th, 1766; Bernard to Shelburne, February 28th, 1767; and their correspondence at the time, *passim*.

‡ Shelburne to Moore, April 11th, 1767.

§ Paper among Lansdowne House MS. endorsed "Relative to the present state of Quebec, May 17th, 1767."

‖ Rev. Dr. Johnson to Sir William Johnson, July 6th, 1767, quoted by Bancroft, v. 41, and "Thoughts by the Archbishop of York, on the State of the Church of England in America, April 10th–11th, 1767." "Thoughts on the same subject, June, 1764."

during good behaviour.* The situation of the Admiralty Courts he considered "as a matter which ought no longer to be left open," and he did his best to encourage the settlement on the Illinois known as Walpole's grant. In this he was overruled by his colleagues acting under the influence of Hillsborough, who, according to Franklin, urged as objections "the distance from the other settlements which would make it of little use to this country, as the expense on the carriage of goods would oblige the people to manufacture themselves; and further, that it would for the same reason be difficult both to defend and govern; that it might lay the foundation of a power in the heart of America which might be troublesome to the other colonies and prejudicial to our government over them, and that people were wanted here and in the settled colonies, so that none could be spared for a new colony." †

But these questions were but trivial in comparison with that of the American revenue, which depended on American policy. "The Treasury," Shelburne told Franklin while discussing the Illinois grant, "are alarmed and astonished at the growing charges and the heavy accounts and draughts continually

* Shelburne to the Lords of Trade, April 9th, 1767; Moore to Shelburne, February 21st, 1767.

† Paper entitled "Walpole's Grant," "Franklin's Works," v. 4.

brought in from America; Major Farmer for instance had lately drawn for no less than 30,000*l.* extraordinary charges on his going to take possession of Illinois, and the superintendents, particularly the southern one, began also to draw very largely." The chief expenditure of the mother-country on behalf of the colonies was incurred for military purposes. The total amount was estimated at 400,000*l.* annually. The question was whether that expenditure was necessary. If it were not, there was every probability that the ordinary revenue of the Crown if carefully tended, and the grants of the colonial assemblies, would be sufficient for securing and defending America, and that there would consequently be no necessity for raising the difficult question of the right of the mother-country to tax. This was the opinion of Shelburne. He believed the road out of the difficulty to lie in increasing the land revenue, in reducing the military force in the towns where they could not be wanted except for overawing the colonists, and in only keeping up the force necessary to check the incursions of the Indians.

In conformity with these views he sent a circular to each Governor in America, instructing him to transmit an exact estimate of the annual charge of maintaining and supporting the entire establishment of the Colony, distinguishing the different

funds, and the different services to which they were appropriated, distinguishing also the fixed and regular funds from those which were annually granted, or which expired in a given time. They were also to transmit a full and clear account of the manner of imposing quit rents, and of levying them, as also of the mode of granting lands, specifying the amount of the arrears of the quit rents, the number of grants hitherto made, the names of the grantees, and the amount and dates of the grants.

At the same time he indicated his own views in a letter to General Gage.

"I write to acquaint you," he said, "of three very material points, which are thought to require the deliberation of the King's servants in order to their being laid before him.

1st. A proper system for the management of the Indians, and for the carrying on the commerce with them on the most advantageous footing.

2nd. The most eligible manner of disposing of the troops; as well for convenience as for offence and defence.

3rd. A reduction of the contingent expenses of the establishment in North America, and the raising an American fund to defray American expenses in part or in whole.

"As so much depends upon the happy regula-

tion of these different articles, they require to be well weighed before a final resolution can be taken upon them, and as the King is desirous that they shall be regulated with all the dispatch that is consistent with securing both the permanence and honor of his Government, and the prosperity of his American subjects, every light and information which can be added to those we are already possessed of, will be duly attended to.

"You will therefore pay the utmost attention to these three points, and from time to time transmit such information and reflections upon them as shall occur to you.

"In regard of the first article, that of the Indian affairs, a plan formed some time ago has been under deliberation. As this plan was transmitted to all the governors in North America for their opinions, it must have fallen within your observation. Many articles in it however appearing not so well calculated for the end proposed as could be wished, and several others being rather detrimental to it, there is a necessity either of reforming it, or of substituting another in its place. But it is to me matter of doubt whether any method of managing Indians can be found preferable to that of leaving the trade of each province to the particular care of that province, under some general rules and restrictions to which all the provinces must be subject in general.

"A plan drawn up by Lord Barrington has been some time under consideration for quartering the troops. This matter will be fully discussed here, but as it is possible that in the end His Majesty may leave it in great measure to your prudence and judgment, you will lose no time to consider this point fully. In the meantime it is His Majesty's desire, that in any changes of the present disposition you have occasion to make, regard be had to make the military as little burdensome to the inhabitants as possible, by disposing them preferably among the young colonies, where in many respects they must be considered as advantageous, rather than in His Majesty's more settled colonies, except where they are desired, or in your opinion wanted.

"The third article is that of the greatest consequence, and therefore merits the most particular and mature consideration.

"The forming an American fund to support the exigencies of Government in the same manner as is done in Ireland, is what is so highly reasonable that it must take place sooner or later.* The most obvious manner of laying a foundation for such a fund seems to be by taking proper care of the quit-rents, and by turning the grants of lands to real benefit, which

* The hereditary revenue in Ireland was sufficient for defraying the ordinary expenses of Government, without having recourse to votes of supply. See ch. ii. p. 89, *infra*.

might tend to increase rather than diminish the powers of Government in so distant a country.

"You must be sensible that very great abuses have taken place in both respects which cry aloud for redress.

"Proper regulations for these purposes might be a means of preventing Indian disturbances in future, which now in great measure arise from individuals possessing themselves of their lands without the knowledge of Government.

"It is far however from His Majesty's intention that any rigour should be exercised in respect of quit-rents long due, but nothing can be more reasonable than that the proprietors of large tracts of land (which ought by the terms of the respective grants to have been cultivated long since) should either pay their quit-rents punctually for the time to come, or relinquish their grant in favour of those who will.

"As to the manner of making out grants of land for the future, I could wish to have the best information possible, so that such a system might be adopted for that purpose, particularly in the new and conquered Provinces, as would at the same time serve to promote the good of the Colonies, and lighten the burden which lies upon the mother-country.

"Although the reduction of expense in America is a very necessary point, yet I must do the Treasury

the justice to say, that they do not wish to retrench any expense which can contribute to the advantage of the country or the good of the service; on the contrary, the intention is that no expense shall be spared which is really useful, but that none shall be incurred which is not so. And indeed it is hardly possible that many articles of expense very necessary at the time, which the exigencies of the war required to be entered into without delay, should not now require reformation and admit of being retrenched. But this desirable point can only be effected by a thorough digest and judicious arrangement of the different departments in America. You cannot therefore be too full in giving your own thoughts upon these matters, nor in procuring the very best intelligence possible from your correspondents in all the Provinces to be transmitted to me from time to time also."

Very different from the views of Shelburne were those of Townshend. He had taken service with Chatham without adopting his policy. He regretted the repeal of the Stamp Act, he defended that Act in principle and in practice, he insisted on the necessity of a colonial revenue; the military expenditure might be reduced, but the garrisons near the colonial towns ought to be kept up;* taxes for this object should be imposed; the distinction between

* Grafton to Chatham, March 13th, 1767.

internal and external taxation was in his opinion ridiculous.

On the 26th of January, five days after his speech on the proposals of the East India Company, he took the opportunity of enunciating the above views in the debate on the army estimates. His colleagues sat by in indignant silence. Their subsequent remonstrances were vain. Chatham was ill at Bath, and Townshend knew it. But to Chatham though absent Shelburne appealed, writing as follows:

"In regard to America, the inclosed minute from the House of Commons will show your Lordship Mr. Grenville's question. Mr. Townshend answered him, but agreed as to the principle of the Stamp Act and the duty itself; only the heats which prevailed made it an improper time to press it; and treating the distinction between external and internal taxes as ridiculous in everybody's opinion except the Americans, pledged himself in short to the House to find a revenue, if not adequate, (a word Lord George Sackville pressed him with, with a view to pin him down as much as possible,) yet nearly sufficient to answer the expense, when properly reduced. What he means, I do not conceive. I have always thought the quit-rents may be so managed, without having too great a retrospect, as to produce a certain sum; and I have likewise had reason to think that such a

new method of granting lands might be devised, as might give infinite satisfaction to America, contribute to the ascertaining property by preventing future suits at law, in great measure prevent the Indian disturbances, and besides all this incidentally produce a certain revenue, without its being the object; but I do not conceive either of them can possibly take place this year, there not being materials in any office here sufficient to form a final judgment of them. Many of them must come for that purpose from America.

"I have heard, indeed, from general conversation, that Mr. Townshend has a plan for establishing a board of customs in America, and by a new regulation of the tea duty here, and some other alterations, to produce a revenue on imports there. I am myself in no respect able to form a judgment how far this may be likely to answer the end or no; but in many views it appears a matter that will require the deepest consideration, at this time especially. Besides I believe your Lordship will think the speech I have just mentioned to you is not the way to make any thing go down well in North America.

"I thought it necessary to inform your Lordship thus far of the state of American affairs here, before I came to speak of the actual state of them there. They have universally agreed to the compensation

required by Parliament to be made to the sufferers. My letter upon that subject, in Massachusetts Bay has undergone a very free discussion; but they have fully agreed, and the Assembly have written me a letter, which I enclose to your Lordship. The governor writes short, but inveighing in general terms against the people.

"A petition is at the same time come from New York, signed by two hundred and forty persons, to the House of Commons, and sent to the Board of Trade to present;* who have transmitted it to me, to know the King's pleasure upon it. I likewise find that when the last ships came away the Assembly had my letter under consideration; which your Lordship may remember was written after a council, upon Sir Henry Moore's and General Gage's accounts of the difficulty made by the Assembly to provide the troops with vinegar and other articles, which Sir Jeffery Amherst's letters assure him they will not comply with, lest they should admit what might hereafter be deemed a precedent for a Tax Act.

"I have only told the merchants in general that it was well known some of those who opposed the Stamp Act opposed it upon very extensive principles with regard to American trade, upon a supposition that the advantages of it must finally

* The petition attacked the Acts of Trade.

centre with the mother-country; that these objects could never be considered separate: to consider them together required not only great judgment and great power, but temper too; leaving it to them to judge how very imprudently the present moment was chosen, when on the one hand they saw how far the prejudices about the Stamp Act still prevailed, and on the other an assembly imprudent enough to hesitate about obeying an Act of Parliament in its full extent, after the tenderness which had been shown America; not to mention their manner of sending it over. The merchants and the Americans here seem sensible of its being the height of imprudence, and are sorry; but your Lordship may easily conceive it has occasioned a number of reports, and is likely, in the talk of the town, to undergo the imputation of rebellion, and will probably be mentioned as such by Mr. Grenville in the House of Commons without seeing it."*

The veteran statesman replied by expressing a hope for better news, but the next mails from America confirmed the accounts of the resistance to the Mutiny Act at New York, of Massachusetts having joined a general indemnity for the rioters to the indemnification of the sufferers, and of the general distrust spread by the Declaratory Act, which made the Colonists, as Shelburne told Chatham

* Shelburne to Chatham, January 31st, 1767.

in informing him of these fresh difficulties, extremely apprehensive that the principle on which the Act was based would be reduced into practice by taxing them. His letter concluded by warning Chatham that he did not expect that the temporary agreement patched up between the ministers, who were waiting to know his opinion, could last beyond the 14th of February.*

Everything now depended on Chatham. Never at any moment of his career had he been so completely the arbiter of the whole situation as now. The ablest members of his Cabinet were at variance, the others were hesitating and waiting only for his slightest nod. But in a few days Charles Townshend was justified. The strange illness which soon practically removed Chatham from the scene of affairs, had already begun when Shelburne on the 16th of February appealed to him a third time against his colleague.

"The King's commands," he wrote, "and the importance of whatever determination is taken in regard to America, must excuse me to your Lordship for breaking in upon you, when I know your intention is to be in town if well enough; if not, that the same reason which detains you, may make business altogether inconvenient. In the last case I hope you will make no scruple to lay aside my letter. It is

* Shelburne to Chatham, February 6th, 1767.

the general opinion that the present packet should not go to America without some determination of government after the imprudent conduct of New York, as well on account of appearance here, as effect there. I have therefore stopped its sailing in order to submit my own thoughts to your Lordship, before I execute the rest of the King's commands by laying it before the rest of his servants. I wish I could at the same time acquaint you with the opinions of the other ministers, but though everybody is strongly for enforcing, nobody chooses to suggest the mode. I presumed to ask the King whether any occurred to His Majesty, but I could not find that any had, except that it should be enforced. Enclosed I send your Lordship all that I have received from Lord Barrington; which contains a general account of the Act. It was first suggested by the military, and intended to give a power of billeting on private houses, as was done in the war. It was altered by the merchants and agents, who substituted empty houses, provincial barracks, and barns, in their room, undertaking that the Assembly should supply them with the additional necessaries: and it passed, I believe, without that superintendence or attention on the part of Government, which is so wanted in all cases where necessity requires something different from the general principles of the constitution. I am told it was carried through by

Mr. Ellis, without the entire conviction or cordial support of Mr. Grenville, who made it a separate Bill lest it might embarrass the General Mutiny Act.

"The infatuated conduct of the Assembly in refusing even present obedience to the Act, precludes I am afraid all consideration of the merits or principles of it, by involving a far greater question. I have however examined with all the attention possible the Mutiny Act here, and find it amazingly tender both in regard to Scotland and Ireland. That part of it only which regards the discipline extends to Ireland. It is very extraordinary that by the best information I have been able to procure, the troops are quartered there under no direct law whatever here or there, but either on account of old prerogative or custom, or the necessity of the thing being understood, it is generally submitted to.

"As things stand in America, so many considerations cross upon each other, that all the difficulties of the situation are scarce within compass to be stated. One great difficulty however is, that whatever the conduct of New York or even of America may be, arising from the diffidence and excess of apprehension your Lordship mentions, it were to be wished not to establish a precedent in whatever is done, which may hereafter be turned to purposes of oppression and to promote measures opposite to those general public principles upon

which the Stamp Act was repealed. Another is that if these infatuated people should be tempted to resist in the last instance, which there is the greatest reason to apprehend from the Governor's letter and their address, I think it too plain from the accounts we daily receive that France and Spain would no longer defer breaking a peace, the days of which they already begin to count, though I profess and very sincerely feel the want of that experience and sagacity necessary to form any judgment of the intentions of foreign Powers." *

* * * * * *

"Your Lordship will have received the Duke of Grafton's letter with an account of the present state of the Indian business, which I am extremely glad to find meets your Lordship's intention. His Grace, I take it for granted, has enclosed to you the minute of Cabinet, stating their proposal as it stands being unintelligible, with several queries, upon which they were desired to explain themselves. The Duke of Grafton has since seen the Chairman and Deputy Chairman; who said they were infinitely obliged to every Lord of the Cabinet for not commanding their attendance, as they must have been silent. They desired for that reason to put the paper of queries in their pocket, without reading

* Shelburne to Chatham, February 14th, 1767.

it till they got to the India House, where they would prepare the answer, but were afraid it was impossible to do it so soon as Friday; which leaves it open to Mr. Beckford to state himself as ready, which I understand he is, to go into the inquiry, having delayed it hitherto more out of candour to Mr. Townshend's declaration than his own opinion, which has always been that it could not be transacted out of Parliament, and will give Mr. Townshend and Mr. Conway an opportunity in answer, to state the matter as it is: that there has been a proposal, which not being sufficiently clear to lay before Parliament, has been returned to the directors for further explanation upon it, which they have promised to give, but has not yet been received. The consequence I suppose must be further adjournment, for at least a week longer. If this meets your Lordship's idea, I will take care to give it all possible attention, and will make it my business to see Mr. Beckford upon it, and that it shall be properly understood. If it does not, I beg your Lordship to let me have your further commands any time to-morrow. I am sure I need not endeavour to express to your Lordship my concern for the occasion of your delay, or for the inconvenient situation I am afraid you find yourself in." *

The news had now arrived—and it was to this

* Shelburne to Chatham, February 16th, 1767.

that Shelburne alluded in the concluding paragraphs of his letter—that "the gout had returned so severely upon Lord Chatham at Marlborough as to confine him to his bed." * From this time forward he continued "quite unable to enter into any detail of things," † nor could his colleagues induce him to give his opinion on the answer of the East India Company, which they had received on February 20th, or on any other business. He only declared "that his fixed purpose had always been and still was, not to be a proposer of plans but as far as a seat in one House enabled him, an unbiassed judge of them." ‡

But while he lay on a sick bed at Marlborough, his disorganized Ministry suffered the first defeat on a Money Bill experienced by any Ministry for five and twenty years. All the sections of the landed interest gathered in their strength, and on the 27th of January headed by Dowdeswell—the Chancellor of the Exchequer of the Rockingham Administration—proposed to reduce the land tax from four to three shillings in the pound. Townshend was told he might substitute the promised American revenue for the extra shilling. He needed no en-

* Lady Chatham to Shelburne, February 16th, 1767.

† Chatham to Shelburne, February 17th, 1767.

‡ Chatham to Grafton, February 23rd, 1767; Shelburne to Chatham, February 25th, 1767; Chatham to Shelburne, February 26th, 1767.

couragement. His resistance to the proposition of Dowdeswell was weak,* and the majority against him was considerable. Stung by the defeat, Chatham dragged himself to London resolved "to crush the preposterous union of clashing factions." † To do so it was first necessary to crush Townshend, who on the 6th of March added to his other offences by opposing the motion, brought forward by Beckford at the suggestion of Chatham and with the sanction of the Ministry, for printing the Indian papers. His place was offered to Lord North, but before a reply could be received a Cabinet Council on American affairs had been held. It was there decided with considerable unanimity to suspend the legislative functions of the Assembly of New York till the Mutiny Act was complied with. The question of the American extraordinaries next came on for discussion, upon which Townshend, as Shelburne wrote to Chatham, "mentioned the necessity of voting a particular sum; which he said he neither could nor would move, unless the Cabinet previously took the whole state of America into consideration, and enabled him to declare to the House the opinion of administration as to the forts, the Indian trade, the disposition of the troops, in short the whole arrangements, considered with a

* See Belsham, "Memoirs of the reign of George III."

† Chatham to the King, March 7th, 1767.

view to a general reduction of expense, and a duty which he undertook should be laid to defray what remained: that he had promised this to the House, and upon the authority of what passed in the Cabinet; and if he could not make it good, he should be obliged to consider the best means, by what he should say or by his conduct, to make it appear that it was not his fault, and against his opinion. I acquainted your Lordship of this the last time I had the honour of waiting on you from Lord Barrington, the difficulty greatly arising from several conjectural estimates being laid by him before the House. I was surprised at Mr. Townshend's conduct, which really continues excessive on every occasion, till I afterwards understood in conversation that he declared he knew of Lord North's refusal, and from himself. The Duke of Grafton told me, and I suppose may tell your Lordship, that he sent to Lord North to ask him. It appears to me quite impossible that Mr. Townshend can mean to go on in the King's service; but of this your Lordship will judge much better than I can, after the Duke of Grafton has given you a farther account." *

In a few days the formal refusal of North came to justify the surmise of Shelburne. Chatham, baffled and weary, withdrew into a gloomy retirement, and then, to borrow the beautiful imagery of

* Shelburne to Chatham, March 12th, 1767.

Burke in after years, "before this splendid orb was entirely set and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary and for his hour became lord of the ascendant." *

Splendid however as were the talents and eloquence of Charles Townshend, Shelburne determined to make one decisive effort in favour of conciliation, before a policy hostile to the Colonies was adopted. The Massachusetts Amnesty Act, the conduct of the Assembly of New York with regard to the Mutiny Act, and the scheme of taxation were the subjects of immediate difficulty. From a memorandum drawn up for his use by Maurice Morgann,† his opinions on the course which ought to have been followed may be gathered:

"Notwithstanding the great defects in the constitutions of the American Provinces, they acknowledged and practised a due obedience to the laws of

* Speech on American taxation, April 19, 1774.

† Lansdowne House MSS. Maurice Morgann was now a clerk in the Foreign Office, and acted as Private Secretary to Shelburne. He was the author of an "Essay on the character of Falstaff." Johnson being asked his opinion of this Essay, answered, "Why, sir, we shall have the man come forth again; and as he has proved Falstaff to be no coward, he may prove Iago a very good character."—Boswell's Johnson, v. 70.

the British Legislature until the enacting of the late Stamp Act.

"The progression of affairs in America had not yet led the thoughts of men to independence. They were obedient from habit, and from that reverence with which they considered the mother-country; but the Stamp Act having an immediate tendency to destroy the whole frame of their constitutions, by taking away from their Legislatures the only subjects of taxation which the laws of trade and navigation had left them, it was no wonder therefore if they thought of self-defence and resistance, that their habits of obedience were broken, and their reverence towards this country diminished.

"The feelings of mankind are generally more to be depended upon than their understandings. In England the Stamp Act was a speculative point, but in America the meanest settler felt his freedom and his property to depend on the event.

"It is clear that the British Government ought to have enforced that Act with its whole power, or to have acknowledged its error with ingenuousness and candour, which would have showed a frankness and condescension which must have been interpreted into true dignity; but unhappily the British Parliament did neither. It affirmed its own right of enacting, whilst it repealed the Act itself in visible complaisance to the clamour of America, and thereby

naturally suggested to the Provinces, that the timidity of the British Parliament kept pace with its ill dispositions towards them.

"To the law declarative of the right of the British Parliament, were added resolutions that the sufferers by the riots in America ought to be compensated by the American Assemblies. The first served to excite ill-humour; the last furnished a subject for the exercise of it; and the whole together gave occasions to turbulent and seditious men, to inflame for their own purposes the disorders of America; and by promoting indecent resolutions and suggesting improper words and expressions, they seem successfully to have laid a ground for more resentments here, and consequently for more fears, doubts, and animosities in America.

"To these misfortunes has been added the Mutiny Act, which strangely enacts that the American Assemblies shall enact that certain Articles be provided for the Troops in barracks there. The whole amount of those Articles is I suppose a mere trifle, not worth the contending for; but it is a question of real importance to America, whether their Assemblies are obliged to enact implicitly points concerning which all debate is precluded, and whether the Parliament of Great Britain can thus effectually tax America internally through the medium of their own Assemblies, without leaving those Assemblies

any choice in the matter, except as to the mode only in which the money shall be raised. It seems also very hard that this provision should be made for an indefinite number of troops, which may occasionally load particular provinces beyond their power to support; nor is the *end* to be obtained, likely to conciliate the Americans to the *means*. A military establishment there, is what they so little desire or need, that they look upon it on the contrary with the most jealous and fearful eye.

"The Mutiny Act is likely to renew the animosities, and perhaps the tumults in America. It has already occasioned such resolutions of the Assemblies there, as may be considered derogatory of the dignity of Great Britain, so that this Act is likely to produce two questions at home, one concerning its own propriety, and the other concerning the dignity of Great Britain, which is committed in the support of it.

"Besides this succession of impolitic measures, there has been doubtless much want of wisdom and management in His Majesty's Governors in America. Mr. Bernard in particular after having governed the Province of Massachusetts Bay for many years with words only, felt very naturally a wish in the beginning of the present troubles to muster up his arguments and chop logic with the General Assembly, and though he has been foiled at his own weapons, he

seems to this day to value himself more upon a good argument than a wise measure; but seeing at present the ill-success of this proceeding, and that the clamour is too loud for argument, he seems to have retired to his closet to vent his chagrin in womanish complaints, instead of combining men, and forming such bold plans of administration as the exigence of affairs seems to require, and as his situation, invested as he is with the authority of Great Britain, might well enable him to do.

"It remains now to be considered what measures under these circumstances it is most wise and becoming in Great Britain to pursue. I consider the Mutiny Act, and the requisition for a compensation to sufferers, as of no other consequence than as the dignity of Great Britain seems staked on their support. The laws of trade and navigation are essential, and must be supported at all risks, and with every exertion of power. The other points are doubtful in their principles, and may perhaps be among those rights—to use a language which I do not understand—that are never fit to be exercised, and yet this subtle distinction is the sole ground upon which the repeal of the Stamp Act can be defended, consistently with the Act which affirms the right. The enforcing of the Mutiny Act will I am afraid create a general dissatisfaction in America, and involve all the Provinces in one common cause

of resistance—an effect which may be attended with the most fearful consequences—and the dignity of Great Britain be lost for ever together with her power, and the ends of those factious persons, who have excited the indecent and petulant resolutions of the assemblies there, be fully accomplished; yet if Great Britain does not in some shape put forth her dignity on this occasion, she may end by losing all credit and reverence in America and lose likewise her power there, which is and must be in a great measure founded on opinion.

"Some measures therefore it seems ought to be taken of so bold and decisive a nature, as to convince the Americans that the long patience of Great Britain has been by no means owing to timidity, and yet the ends of those measures should be so manifestly just and important, as to leave no room for jealousies and fears in the minds of the sober and well-disposed, and thereby give no pretence for common measures of resistance, and it would be still more desirable if these measures could be directed against a particular Province."

The course however thus indicated was not that which recommended itself to the other members of the Administration, of whom Conway alone, true to the principles he had supported under Rockingham, inclined to lenient measures. He lacked however the ability to form and the decision to carry out

a plan. Charles Townshend, now in high favour at Court, enjoyed an easy triumph over his hesitations and the indolence of Grafton, while Camden in the absence of Chatham foreswore his ancient love of liberty, though for a season only.* It was successively decided by the Cabinet to move the Privy Council to annul the Massachusetts Amnesty Act as an interference with the royal prerogative, and the New York Quartering Act as inconsistent with the clause in the charter of the province requiring the legislation of that colony to be as nearly as possible consonant with the laws of England; to pass an Act of Parliament forbidding the Governor to give his consent to any further legislation sent up to him by the Assembly, till compliance should have been made with the Mutiny Act; to extend the Mutiny Act itself for another year;† and while supporting the Acts of Navigation in their integrity, to impose port duties for the purposes of revenue on wine, oil, and fruits, if allowed to be carried into America direct from Spain and Portugal, and also on glass, paper, lead, colours, and tea. The revenue obtained from these duties was to be placed at the disposal of the King for the payment of the civil officers of the colonies, and it was hoped that the fact of the new taxation being levied in the shape of port duties would effectually baffle the arguments of those who

* Walpole, ii. 418–448. † 6 & 7 George III. c. 55.

had resisted the Stamp Act on the ground that it imposed an internal tax. Bernard began to think that now at last he was really Governor of Massachusetts. He was to have a salary independent of the whims of any colonial Assembly. Charles Townshend was a second and better Grenville. At the same time the relations between the East India Company and the mother-country were provisionally settled, but in a manner very different from what had been intended by Chatham, to whom "India now became a perpetual source of regrets."* A Bill was introduced restraining the dividends, the qualification for a Directorship was raised, but the vast territorial revenue was confirmed to the Company on condition of a payment of 400,000*l.* per annum into the Treasury. Amongst the opponents of even these moderate proposals was Edmund Burke.†

Conway alone in a Cabinet held on March 13th expressed doubts of the expediency of the suspension of the legislative powers of the Assembly of New York.‡ Shelburne consented to it as part of a scheme which leaving the obnoxious Act to die a natural death, was to join firmness in the face of the opposition of a single province to conciliation towards

* Chatham to Shelburne, March 6th, 1774.

† Walpole, ii. 436.

‡ Shelburne to Chatham, March 12th, 1767.

a whole continent.* It was the last Cabinet he attended. Finding his opinions on every other question overruled, and Chatham immediately after retiring into solitude, he for some time ceased all further attendance at the meetings of his colleagues, and decided to devote himself to neutralising so far as he was able in his executive capacity as Secretary of State, the disastrous effects which could not fail to flow from their policy.†

The Ministers at the bidding of an imperious colleague and a narrow-minded King had decided to oppress the colonies, but could not fail at the same time to be conscious of the precariousness of the position they occupied. Conway and Camden in their hearts were averse to the schemes of Townshend; Northington rich if not in honours at least in emoluments, was anxious to retire; Grafton weary of the endless personal struggles in which he was engaged, knew that if ready himself to sacrifice Shelburne, Charles Townshend was equally anxious to sacrifice him. He accordingly looked round for new alliances.

Amongst those most anxious to make their way

* See paper quoted above, p. 55, and Parliamentary History, xvi. 966.

† Shelburne to Chatham, February 3rd, 1774. During 1767 and 1768 as afterwards in 1782 and 1783, Shelburne kept a record of the cabinet councils he attended. See too Part. Hist. xviii. 276, 1222.

into office were the Bedford party. They were the chief advocates of a firm policy against the colonists, and hoped to storm the Treasury bench over the prostrate body of Chatham as they had in 1763 over that of Bute. To them the continuance of Shelburne in office especially as Colonial Minister* was intolerable; neither was Shelburne more agreeable to the followers of Rockingham, for Burke was their prophet, and to Burke the opponents of the Declaratory Act were anathema, nor to those of Grenville, for he had been amongst the earliest opponents of the Stamp Act. The King had only admitted him to his councils out of deference to Chatham, and now willingly joined Grafton and Northington in denouncing him as a "secret enemy" and suggesting his removal.† Charles Townshend openly professed to have him in "the greatest contempt,"‡ and only the fact of their sitting in different Houses made a joint continuance in office possible for a day longer. Meanwhile he was attacked on all sides: by Bedford on the form in which the Massachusetts Amnesty Act had been disallowed,§ by Richmond on some delays which had arisen in the settlement of Canada—delays which were owing to Northington‖—by Lord

* Walpole "Letters," v. 75–77; "Memoirs," iii. 135–138.

† The King to Chatham, May 30th, 1767.

‡ Walpole, "Memoirs," iii. 26, *note*.

§ Walpole, "Memoirs," ii. 454; iii. 47.

‖ Walpole, "Memoirs," iii. 45.

Talbot, for his conduct and vote on the Stamp Act and the Declaratory Resolutions,* and on his whole political position by Charles Townshend in that strange mixture of wit, eloquence and buffoonery which yet lives as the "champaign" speech.†

To have resigned was his own wish, but while Chatham still held the Privy Seal and regarded him as his representative in the Cabinet, resignation was difficult if not impossible.‡ He accordingly kept the seals, and while the air was heavy with rumour and intrigue, occupied himself in settling the difficulty about the Mutiny Act with the state of New York. The Assembly of that province had now made a grant for the use of the army without any special appropriation. The Attorney and Solicitor-General § advised that this was technically a sufficient compliance with the terms of the Mutiny Act; and Shelburne eagerly seized the opportunity thus afforded of closing the controversy.

"I have His Majesty's commands" he wrote to Sir H. Moore "to transmit to you an Act of the last session of Parliament for restraining and prohibiting the Governor, Council, and House of Representatives of the province of New York, until provision shall

* Shelburne to Chatham, May 26th, 1767.

† Walpole, iii. 26, *note*.

‡ Autobiography of Grafton.

§ Shelburne to Chatham, February 3rd, 1774.

have been made for furnishing the King's troops with all the necessaries required by law, and from passing or assenting to any Act of Assembly, vote or resolution for any other purpose.

"This law you will perceive was enacted for the purpose of enforcing the obedience of the Assembly of New York to the terms of the Mutiny Act, but at the same time framed with that singular temper and lenity as to offer that Assembly an opportunity of rectifying their conduct, and this without involving them in any disabilities except as the consequence of further disobedience, nor is the province itself subjected to inconvenience thereby, without leaving it in the power of the people by a proper conduct and a due exertion of their privileges to avoid or remove them.

"Since the passing this Act I have received your letter of June 18th acquainting me that the Assembly have in their address to you declared their intention of making that provision for the troops which is prescribed by the Mutiny Act.

"I lost no time in laying this letter before his Majesty who was graciously pleased to express his satisfaction that his province of New York had voluntarily returned to a just sense of their duty, and had thereby given an unquestionable proof of their duty to His Majesty, and of their obedience to the Parliament of Great Britain.

"Whilst I transmit this Act, it is with real pleasure I consider that the prudent conduct of the Assembly has already rendered the provisions contained in it unnecessary, and I entertain no doubt but that the same just spirit of subordination and constitutional obedience to that supreme Legislature, which has on all occasions discovered the clearest intentions of restraining its own power within the limits of equity and justice, will render New York equally worthy with the rest of His Majesty's provinces of His Majesty's favour and protection, and of those singular privileges which they enjoy under the blessings of his reign, and under the influence of the British constitution."*

While this question was thus happily settled the plots and counterplots of the Whig factions busily continued

"It is a weary and unprofitable task" says Hallam speaking of the feuds of the Merwings "to follow changes in detail, in which the eye meets with no sunshine nor can rest on any interesting spot." The remark might be equally applied to the suicidal struggles of the Whigs in 1767, who were apparently unconscious that more important issues were at stake than the triumph of the house of Woburn over the house of Wentworth, or of both over the house of Hanover. At home the King watched their struggles

* Shelburne to More, July 18th, 1767.

with satisfaction mingled with apprehension that they might yet be too strong for him; abroad Choiseul prayed that "the anarchy in England might last for ever."* Grimaldi saw in the divisions of English parties the equivalent of the domestic troubles caused in Spain by the expulsion of the Jesuits and the reforms of Squilaci, one of the ablest of that remarkable school of foreign statesmen who illustrated the reign of Charles III. So little fear had he now of any active foreign policy on the part of England, that Masserano came in October to express ironically the regret of his Court that the claims of Spain against England were still unsettled. "The Spanish Ambassador" says Shelburne,† "complained of the points in dispute between the two nations, particularly our settlements in the South Seas or to the south of America, as capable of most dangerous consequences. I told him that I saw the several points remaining unsettled, and the consequences he mentioned, in the same view he did—with this addition on the side of England, that it became every day more and more difficult for an English Ministry to bring the people to a reasonable view of the several differences; that if the ministry was changed, it would be still

* Choiseul to Durand, August 4th, 1767, quoted by Bancroft, v. 68.

† Notes of a conversation with Prince Masserano, October 22nd, 1767.

more difficult for a new Ministry, inasmuch as every time a new Ministry was formed, it must naturally in this country bring with it fresh attention to the interests of the people; perhaps those might come whose interest it might be to flatter the prejudices of the people. Then as to the present, I felt it so much the duty of a Minister to risk himself, that I thought it fit in every case of this nature for a Minister to correct and stop all such views with the public where they exceeded, that I was willing to do so now, and for this purpose I was willing, as I had before long since told him, as soon as he told me he had the necessary powers, to enter into a full discussion of all points; that I had often told the King, I was emphatically convinced of his personal honour; that I was persuaded, he would not say he had power, merely to draw me in to any discovery of the King's or my private sentiments; that he was incapable of such a ruse; that for myself I was ready to hazard to him my own idea of what might be right for England to do towards accommodation; that there must be both interests considered, and if our settlements alarmed them, they must remember the claim we had on the King of Spain's honour and justice on account of the ransom due on taking the Manilla, into the consideration of which the King would always insist on first entering.

He said, that greater things ought to be considered; first despatch them: the others would follow. I said grievances should be considered according to the time they happened; that as to their greatness, settle the small ones first that could be settled, leaving the difficult to stay to the last, and not to be soured with little jealousies. I found he did not like such close quarters, and wanted to get off the conversation when it got so close, but I desired he would not forget what I said, and would remember that the delay did not lie with me."

A final crisis at length arrived to end the distractions and divisions of the Ministry. In the midst of his schemes, and when apparently near the fulfilment of all his hopes, Charles Townshend suddenly died of a putrid fever on September 4th. Shortly after Northington resigned, nor did the changes in the Ministry rendered necessary by these events end there.

"I cannot be so near Hayes," wrote Shelburne to Lady Chatham, "without communicating to your Ladyship from London an event of a personal nature. It is General Conway's resigning the emoluments of his office as Secretary of State, on account of certain delicacies he felt for what passed last summer in regard to Lord Rockingham.* It

* It appears that Conway having now been appointed Lieutenant-General of the Ordnance, which entitled him to the pay of that

has been some time in agitation, but was not communicated to me, till General Conway mentioned it, at the moment the Duke of Grafton was gone in to the King to acquaint His Majesty finally of his resolution. I must own, when it was first told me, I felt it an agreeable opening for me to do the same; and that I might by that means be freed from various delicacies, and some uneasiness in a situation in which Lord Chatham placed me, and which without his approbation I did not think myself at liberty to desert. Upon weighing it, however, I must own I saw as many objections, and what concluded me to defer such a step was, that I thought it wrong to do a thing, which however rightly intended, might have the air of experiment, without Lord Chatham's example or concurrence.

"I know not how to make your Ladyship sufficient excuses for troubling you upon any subject of business; I am afraid it is not a sufficient one, to say it is an ease to my own mind, to acquaint your Ladyship of it, so that if Lord Chatham should chance to hear of it, you might have the goodness to acquaint him of the motives of my conduct.

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office, and to that of a Colonel on active service, was unwilling to be in the receipt of these emoluments and of the salary of the Secretary of State as well, fearing that the Rockingham party, who were eager to detach him from his present connection, would say he kept his office for the sake of money.

"As for the course of public affairs, what regards Parliament I conceive may, with common management, be carried through without difficulty. As for the Court, Lord Chatham knows my opinion, as it has been unvaried since I first waited upon him at Northend. As to foreign affairs, there are many accounts which certainly do not flatter the almost universal wish of peace; but if there should any certainty come of any such great event as a war, I shall presume to acquaint your Ladyship of it, without troubling you with too many particulars. In the meantime, I have every reason to believe nothing can so effectually keep it off, as the report of Lord Chatham's health."*

Grafton had now a great opportunity. Being rid of Charles Townshend, he might have reconstituted his Government on liberal principles, and reversed the American policy which Townshend had forced on him. But he chose to adopt a course which could not fail to lead to an exactly opposite result. The resignation of their offices by Northington and Conway again afforded a tempting opportunity to Bedford, who broken by the untimely death of his son and his own failing sight, now no longer sought office for himself, but for his friends only. He however made the resignation by Shelburne of the management of Colonial affairs the condition of his

* Shelburne to Lady Chatham, October 9th, 1767.

support. As this resignation would render vacant three instead of two offices, the proposal of Bedford was not unwelcome, and suddenly remembering the old controversy about the division of work in the department of the Secretary of State, Grafton sought an interview with Shelburne.

At this interview Grafton said :— *

"I do not choose to take any step of consequence without first communicating it to your Lordship, particularly anything which can have the least regard to the situation your Lordship is in, or indulge more than a thought concerning it, without endeavouring to know your Lordship's inclination and your feelings upon it. In the distressing situation in which I am, having embarked in this thing, and from my office feeling it incumbent upon me, since the state Lord Chatham has been in, to take the lead, and being bound to wish what is best in the main for the King's affairs, I should feel myself the most culpable man in the world if there was an opening when any great body of men might be taken in, and faction broke into by that means (which was always Lord Chatham's great object), if I did not do everything in my power to embrace it. Now having received openings from different parties, though really and in fact they are but faint glimmer-

* Paper marked "Friday night, December 11th, 1767. At the Lord President's." Compare "Walpole," iii. 138.

ings, what I would presume to wish to know, would be what your Lordship's sentiments are in regard to your own department, or what your feelings would be in case it would be useful to the King's affairs to come to a division of it. Your Lordship may perhaps have heard that it was a thing in agitation in August last. When there was so many different schemes about General Conway, it was then thought that your Lordship might be prevailed upon to go to the Northern Department, and General Conway hold one part of yours with the Ordnance. I must say that it has ever been my opinion that it ought to be separated. I have declared it a hundred times to the Chancellor; I told General Conway so expressly at the meeting we had about him last summer before Mr. Walpole and Lord Hertford. I beg and beseech your Lordship at the same time not to think it is any personality towards you, because I do protest it is not. Were a Solomon in the situation, I should not be of opinion that he could go through it. When General Conway had that department, though he had it not in so extensive a manner as your Lordship, I then was of opinion that it ought to be separated, and was the strongest for Lord Dartmouth's being made a third Secretary, which shows that it is not now personal towards your Lordship, I therefore beseech you not to attribute it to any such motive."

'Lord Shelburne answered,

"Your Grace knows so very well my motives of engaging in and continuing in this system, that I need not repeat them. As to what passed in August, I am a total stranger to it, which may not be surprising, as since Lord Chatham's illness, I have not heard the least of what has been carrying on or projected, except the business that occurred necessarily in the course of my own office, nor had I the least idea till this moment that any change respecting the Southern Department was ever in the least agitation or thought of by your Grace. As to what you mention, I have not the least objection to talking to you upon it, whenever your Grace thinks proper, as I presume this is not a proper place for it, there being so many people waiting in the next room. Your Grace will only give me leave to ask you for curiosity whether any American event has given rise to this new opinion of your Grace's, for I presume it is so far new as to have been conceived since the forming of the present administration, else if your Grace had possessed it then so strongly, you would certainly have urged it at that time as by far the properest."

'The Duke replied "that it was no event whatever, nor nothing personal towards your Lordship, on the contrary I think the business very sufficiently and very ably managed. I should wish

on that account that your Lordship was to remain at the head of that part, but it is my decided opinion that it ought to be divided, and so strongly so, that no consideration whatever should make me continue at the head of the Treasury, and any person whatever in the kingdom, be it who it will, in possession of that department in its present extent. There is no saying what I might do, engaged in the present general election as I am, till that was over, but the first convenient opportunity either he or I should leave the King's service. As to its occurring to me when the system was first formed, I really confess it did not to the degree it does at present: besides Lord Chatham was then in the situation in which I unhappily feel myself in some sort at present; a horse, my Lord, could not go through the business of your office properly; I did not receive till yesterday some papers from Sir H. Moore which were dated before October the 3rd."

Lord Shelburne said, "As to that particular, it was certainly very wrong, but it was the affair of an Under Secretary and not mine, and I did suppose must be owing to some accident of supposing his Grace to be in the country, which sometimes happened,* as they were in general very punctual, but I am vastly happy that no real evil has happened to the

* The allusion is to the frequent absence of the Duke at Newmarket, and at Wakefield Lodge, where he kept hounds.

King's affairs or those of the public, which I had the care of in that quarter of the world, but that it had been reduced in the main to some degree of order and obedience also to Parliamentary authority, from a very different state in which I found it; a degree of success which I could not attribute to my own ability but to good luck alone. As to the rest I cannot help observing frankly to his Grace, that had I been where his Grace is, and he Secretary, and supposing me to have the same opinion with his Grace, that I should most certainly have chosen to have communicated it frankly to the person whom it regarded, rather than to those several other persons whom his Grace mentioned, or at least have avowed and communicated it at the same time. I will not detain your Grace longer at present, but will be ready to talk further to your Grace whenever you think proper and whenever you please."

'The Duke of Grafton answered "that it would have been most agreeable to him to have communicated it, but that he was obliged to consider at that time of the going on of the King's affairs.

"He then repeated many civil expressions and professions of the same sort with those above mentioned, and proposed to talk further about it at the Council to be held at the Queen's House the next day at half-an-hour after two."

'At this second interview Shelburne said "I think it a pity this thing had not been thought of at first, when Lord Chatham's sentiments upon so important a subject might have been known. I am afraid in his present situation we cannot have his assistance, but as your Grace is so thoroughly convinced that the measure is necessary and useful to the King's affairs, my duty to His Majesty must produce in me a most cheerful acquiescence. Your Grace understands me however to mean my continuing in my present office, as I do not choose to take upon me the framing and modelling of this new office." 'This did not come up to his idea; he desired then that I should take the American part, as the Bedfords cannot be trusted with it on account of different principles, and that it was as well under me, and that he did not like to change it.'*

"Your Ladyship," wrote Shelburne to Lady Chatham next day, "sees the delicacy of this situation. My sincere and only wish is to do what is agreeable to Lord Chatham, not so much from a motive of private regard, as a thorough conviction that nothing but his compass and extent of mind can save this country from some great confusion. My reason for not choosing the new department proposed, is no

* Paper marked "Memorandum by Lord Shelburne of the conversation at the Queen's House."

dislike to the office, but that I think the general system affected: but if Lord Chatham desires I should do it, I am very ready to take the part he wishes, notwithstanding my own earnest inclinations. Lord Chatham, if he enters at all into the situation, must carry me very strongly to miss no proper opportunity of declining office altogether, where I do not see my way, and have little or nothing to direct my conduct.

"Your Ladyship will judge so much better than I can of the proper time for communicating the contents of this letter to Lord Chatham when he will be least inconvenienced by it, that I flatter myself it will help to plead my excuse for the trouble of it, and that whenever he shall have bestowed a moment's attention on it, he will not withhold his opinion on an occasion, where I should wish so much to have it for my guide." *

It was however impossible to obtain any reply of a definite character from Chatham, and Shelburne ended by acquiescing in the proposed division of the office, choosing himself for the reasons he had indicated, to surrender his connection with American affairs. Being now more than ever anxious to obtain an interview with Chatham, and to explain his position, he started for Hayes, but after riding as far as Bromley, was stopped by a message from the

* Shelburne to Lady Chatham, December 13th, 1767.

great Earl declaring his inability to see him, owing to constant illness. He accordingly contented himself with writing thence to Lady Chatham as follows:

"It may be proper just to acquaint Lord Chatham, as he knows what passed before, that the first time I saw the Duke of Grafton after the letter I sent your Ladyship a copy of, I desired he would understand the word *acquiescence* in its strict sense—and that solely on account of Lord Chatham—but not the least degree of *conviction*, as I foresaw many evils from what was proposed. Since that, I have been acquainted of nothing, till yesterday, when the Duke of Grafton told me what was fixed on Friday last, which is exactly the same as in all the newspapers, and takes place in part only after Christmas, and in no part has been, happily for me, either confided or communicated to me.

"I am persuaded, when Lord Chatham has either time or health to return to any business, his intuition and knowledge of human nature will make it easy for him to distinguish between the secret and the real views of any of the parties concerned, if it be necessary; as well as of the effects which the steps taken in his absence are most likely to produce.

"There is but one thing which I wish to say, in apology for my having made so much use of Lord Chatham's name; that it is not thinking my attachment of any consequence to him, as I must

be sensible that there are twenty unexceptionable people that would be equally useful to his views, in any situation his kindness to me may make him wish for me; but it is solely on my own account, and my wishing to direct my conduct the best for the public." *

This was the last communication which Shelburne had with Chatham for a considerable time. The latter now wrapped himself in a mysterious silence, and only occasionally emerged to indulge in the gratification of extravagant and morbid fancies, bearing the stamp of madness if they were not indeed the acts of a mad man. The exact character of the disease which in 1767 and 1768 afflicted this great statesman, will probably always remain a moot point in history. In the opinion of some of his contemporaries, he was mad; others recognised only an exaggerated form of that love of mystery and acting for the sake of effect, which had always been ingredients in his character and were now stimulated by disease.

To this opinion Shelburne himself seems to have inclined.† He in any case keenly felt the invidiousness of his own position: the representative of Chatham in the Cabinet, yet unable to obtain even the shortest interview with him; anxious himself to

* Shelburne to Lady Chatham, December 22nd, 1767.

† See vol. i. Chapter of Autobiography.

resign, yet desired to stay, and called upon to decide questions of great difficulty, yet without any certainty that he would not be thrown over by his principal. The bitter remembrance of this passage in his career, when unsupported and alone he had on the one hand to resist the attacks of the King and the intrigues of his colleagues, and on the other to suffer under the obstinate silence of his leader, made him in the evening of life paint his picture of the great Earl in darker colours than their subsequent relations perhaps justified, and without the accompanying description of those great qualities which once had saved and once again might have saved the country, —qualities which he either thought too well known to need detailed description, or would have described had he lived to revise his own work.

The ministerial changes did not actually take place till January, when Hillsborough entered on the administration of the American Colonies, and Weymouth succeeded to the management of Home Affairs and of the Northern Department in the place of Conway, while Shelburne retired within his now limited sphere. The preponderance of the Bedford party at once became marked. It meant peace with France and Spain, and a vigorous policy against the Colonies, and was understood in that sense by the representatives and agents of those countries.*

* Durand to Choiseul, December 11th, 1767, January 11th,

At the moment that the influence of the Bedford party was thus visibly triumphant, it was announced amid universal astonishment that Dunning—the intimate friend of Shelburne, and now member for Calne—had been raised to the post of Solicitor-General, vacant by the resignation of Sir Edward Willes.* He had been chosen Recorder of Bristol, was the most shining pleader at the bar, and had greatly distinguished himself as counsel for Wilkes. "Though his manner was insufferably bad, coughing and spitting at every word," says Hannah More, speaking of his great forensic victory at the trial of the Duchess of Kingston, "yet was his matter pointed to the last degree." "His words were always pure, and always elegant, and the best words dropped easily from his lips into the best places with a fluency at all times astonishing, and when he had perfect health"—which was rarely the case—"really melodious."† But it was not merely as an advocate that Dunning obtained applause. The almost unanimous voice of his contemporaries pointed to him as one of the few eminent lawyers who were as great in statesmanship as at the bar. Chatham, who hated

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1st February, 1768; Châtelet de Lomont au Chevalier de Modène, March 15th, 1768. Bancroft, v. ch. xxxi.

* Walpole, Memoirs iii. 146.

† Stanhope, v. 292. Sir W. Jones, Works iv. 577.

lawyers, declared him to be "another man from any he had known in the profession. I will sum up his character" he said "as it strikes me. Mr. Dunning is not a lawyer, at the same time that he is the law itself;" and he told Shelburne that among the many things for which he was indebted to him, an introduction to Dunning held the highest place.* "If Mr. Dunning," he said on another occasion, "can for a time forego the bar, he may live long, and prolong the life of the declining constitution of our country, and most probably will one day raise up again the Great Seal.† How many professors of the law he may chance to outlive gives me no solicitude; I only pray he may not 'outlive the law itself,' to use Serjeant Maynard's words."‡ Such was the character of the new Solicitor-General. The Bedford party, anxious to promote the unscrupulous Wedderburn, regarded the appointment with ill-concealed annoyance, but probably knew that before long the friend of Shelburne would have to follow his leader into retirement. Meanwhile the legal world saw with astonishment a Law Officer of

* Chatham to Shelburne, December 3rd, 1770.

† Chatham to Shelburne, January 5th, 1773.

‡ The Prince of Orange is said to have told the aged Serjeant Maynard that he must have outlived almost all the great lawyers of his time. "Yes, sir," is said to have been the reply of the Serjeant, "and I should have outlived the law itself if your highness had not come over to our assistance."

the Crown still wearing a stuff gown, for no Chancellor was to be found sufficiently careless of royal resentment to allow the counsel of Wilkes to take silk.*

* For a further account of Dunning, see "Law Magazine," vol. vii.; Roscoe, "Lives of Eminent Lawyers;" and Brougham, "Statesmen of the Reign of George III.," vol. ii.

CHAPTER II.

IRELAND IN 1767–1768.

At the moment that the new division of the business of the Secretary of State's department was made, the affairs of Ireland, which remained under the Southern Secretary, were promising to give Shelburne as much employment as those of America had previously done.

By birth, by education, and by property, Shelburne was intimately connected with Ireland. In his own early years he had had abundant opportunities of becoming acquainted with the strange society of the County Kerry, where the gentry conspired with the peasantry to defeat the law which they both abhorred; where magistrates and clergy connived at robbery and murder; and throughout the whole district ignorance and prejudice reigned supreme. Nine years before his birth, the attack made at Ballyhige on the wrecked Danish treasure had taken place; it remained un-

punished;* when he was seventeen years of age John Puxley the Exciseman had been murdered at Glengariff for not assisting in the violation of the law, and his death had been avenged, but not by the arm of justice.† There were indeed many peculiarities in the position of the County Kerry, which rendered the defiance of the law more easy within its limits than elsewhere. The coast indented with numerous bays, the inaccessible mountains running down to the sea, were the natural resort of smugglers, and had been from time immemorial a sure hiding-place for robbers and the best starting point for conspirators. The first Earl of Kerry had spent his life in battling after a rude fashion for the security of life and property in that troublous region; his weaker son had rendered himself liable on at least one occasion to the imputation of preferring popularity to justice.‡ Under the spendthrift rule of the present possessor there was little prospect of improvement. The adjoining Shelburne estates had for the most part been long since leased to middlemen.

If however the County Kerry might have been considered as affording an extreme example of lawlessness, the rest of Ireland was not much better situated.

* Froude, "English in Ireland," vol. i. p. 478.

† Froude, "English in Ireland," vol. i. p. 460.

‡ Froude, "English in Ireland," vol. i. p. 476.

The whole territory of the island had been confiscated at least once, after the successive invasions of English colonists under Henry II., James I., and Cromwell; but while the earlier settlers had for the most part become identified with the original population, the actual owners of the soil were still regarded in many districts by the great mass of the population as tenants under a wrongful title. The Government ever since the time of Henry VII. had been conducted on contradictory principles. A Parliament existed, but deprived of a truly representative character, owing to the existence of the political disabilities under which the Catholic population suffered, and while possessed of some of the forms it lacked the substance of constitutional liberty. The industrial prosperity of the Protestant minority which possessed the franchise, was crushed by the shortsighted commercial system of England. And yet, notwithstanding confiscations, political disabilities, penal laws, and commercial restrictions, some progress had been made, especially during the past twenty years. The recent rise in the price of meat had caused a great increase in the production of cattle, and wealth began to accumulate in consequence, while the trade in linen, the only manufacture not suffering from the evil effects of the English commercial system, was prospering. But with that strange

tendency which improvement in Ireland has, according to a great statesman, to be accompanied in a peculiar degree with counterbalancing evils,* it was the increased production of cattle, accompanied as it was by the inclosure of commons and the consolidation of small holdings, which caused the terrible outbreak of the White Boys, in the same decade of the century which heard the first protests of the American Colonies against English misgovernment.

In many respects there was an analogy between the position of those colonies and that of Ireland. Both were governed by English colonists. In both there was a Royal Governor; in both there was an assembly with legislative powers more or less limited; and the Catholic population of Ireland was not, in theory at least, treated with much more political consideration than the Indian tribes which in the far West acknowledged the supremacy of George III. But there the analogy ceased, and nothing could afford a better proof of the difference between them, than the forms which their resistance to what both considered oppression respectively took. The citizens of Massachusetts, having the constitutional means of expressing their own discontent, only entered after many hesitations on a career of

* Mr. Gladstone, "Speech on Introduction of the Irish Church Bill."

overt resistance, when every other weapon had failed: the Catholic peasantry of Ireland, trained up to regard the law and the institutions of their country as a machine invented for the benefit of the Protestant minority, betook themselves at once to murder and outrage. And yet there was little to envy in the position of the Protestant minority. In the reign of Henry VII. the petty assembly which sat on the other side of the St. George's Channel had first begun to give signs of independent activity, and to prove the impossibility of two separate legislatures sitting, the one in Westminster the other in Dublin. The first of many experiments was then made to adjust their conflicting jurisdictions, and the laws which took their name from the Lord Deputy Poynings enacted that before any Parliament could be summoned, the Governor and Council of Ireland should certify to the King under the Great Seal of Ireland the causes thereof, and the articles of the Acts proposed to be passed, and that after the King and Council in England had approved or altered the said Acts and certified them back under the Great Seal of England, and should have given license to summon a Parliament, the same should be summoned, and therein the said Acts and no other should be proposed, received, or rejected.* A subsequent Act provided that any

* 10 Henry VII., c. 73 (Irish).

new propositions might be certified to England in the usual forms even after the summons of Parliament.* Under the latter Act a practice grew up by which heads of Bills were prepared, and after two readings and a committal were submitted to the Lord Lieutenant in Council, who on approval transmitted them to England in conformity with Poynings' Act. This procedure came gradually to be claimed as a matter of right with regard to money Bills. The advantages of it were obvious, for it gave the Lord Lieutenant the means of ascertaining what measures the Parliament desired to see passed. The doctrine however still held good that when once a Bill had passed the Great Seal of England no alteration could be made in it. Thus the Irish Parliament was deprived of all power of amendment. But the English Parliament was not satisfied with the measure of dependence secured by this procedure.

Another of Poynings' laws, based on the assumption, in itself doubtful, that English statutes did not run in Ireland, had enacted that all Acts of Parliament previously passed in England should for the future be of force in that country. As a deduction from the principle on which this statute rested, it was held that all English Acts passed since the time of Poynings' Act did not run in Ireland. There

* 3 and 4 Philip and Mary, c. 4.

were those however who held that if Ireland were expressly named in a statute of the English Parliament, then Ireland would be subject to that statute. The question however though raised in 1641, continued to be more speculative than practical till after the Revolution, when in the same way that the paramount authority of Parliament was brought forward in the controversy between England and the American Colonies, the paramount authority of England over Ireland was asserted in several statutes, more especially in the famous measure passed in 1699, which prohibited the export of Irish wool and so destroyed the chief industry of the country.*

The controversy was soon after widened. In 1719 the Irish House of Lords reversed a judgment of the Court of Exchequer. The defeated parties appealed to the House of Lords in England, and the judgment of the Court of Exchequer was affirmed. The Irish House of Lords thereupon resolved that no appeal lay from the Court of Exchequer to the House of Lords in England, and the Barons of the Exchequer were taken into the custody of the Black Rod for obeying the orders of the English Court. The English Parliament replied by passing an Act which declared the power of the Lords and Commons of Great Britain in Parliament to make laws to bind

* See "Stephens' Blackstone," i. 99; Hallam, "Constitutional History," iii. 405.

the people of Ireland, which asserted that the Courts of King's Bench and Chancery in England were superior to the same Courts in Ireland, and could hear appeals from them, and at the same time entirely abolished the appellate jurisdiction of the Irish House of Lords.

The most important results of the struggle were in Ireland the publication of Molyneux's "Case of Ireland," a work which, burnt by the hands of the common hangman, became the legal text book of Irish resistance, and in England the addresses adopted by the Houses of Parliament in 1703, and 1707, in favour of a union with Ireland. These addresses however received but little encouragement from the Crown. "The Parliament of England" to use the words of Lord Clare "seem to have considered the permanent debility of Ireland, as their best security for her connexion with the British Crown, and the Irish Parliament to have rested the security of the colony, upon maintaining a perpetual and impassable barrier against the ancient inhabitants of the country. The executive government was committed nominally to a Viceroy, but essentially to Lords Justices, selected from the principal State Officers of the country, who were entrusted with the conduct of what was called the King's business, but might with more propriety have been called the business of the Lords Justices.

'The Viceroy came to Ireland for a few months only in two years, and returned to England perfectly satisfied with his mission, if he did not leave the concerns of the English government worse than he found them: and the Lords Justices in his absence were entrusted implicitly with the means of consolidating an aristocratic influence, which made them the necessary instruments of the English government." * The administration of the country was also materially facilitated by the large amount of the hereditary revenue of the Crown, making a recourse to Votes of Supply only necessary in alternate years.

How Lord George Sackville did that which neither the legal lore of Molyneux, nor in later years the satire of Swift had been able to accomplish, and first shook the machinery by which England compassed the objects of her policy, has been already described, in the words of Shelburne himself.† The question at issue in the struggle which lasted from 1749 to 1753, was whether an unappropriated surplus should be regarded as Crown property or was still under the control of Parliament. The former was the contention of the party of the Primate Stone, the latter that of the Speaker Boyle and his supporters. If the surplus was Crown property, it clearly came within the rule that to a Bill affecting

* Speech of Lord Clare, 1800. † Vol. i. 345–348.

the interests of the Crown, the previous consent of the Crown is necessary.* Heads of a Bill for the appropriation of the surplus were however passed by the Commons, and rejected by the Crown. The surplus was then applied by the royal authority. A free distribution of favours among the friends of Boyle, and the temporary disgrace of Stone averted further difficulties, "while the Commons," once more to quote Lord Clare, "took effectual care that the question should not occur a second time, by appropriating every future surplus to their private use, under the specious pretence of local public improvements. Windmills and watermills, and canals, and bridges, and spinning-jennies, were provided at the public expense, and the Parliamentary patrons of these great national objects, were entrusted with full discretionary powers over the money granted to complete them. From this system of local improvement, a double advantage arose to the Irish aristocracy, it kept their followers steady in the ranks, and reducing the Crown to the necessity of calling for supplies, made the political services of the leaders necessary for the support of the King's Government; but the precedent was fatal, and a system was gradually built upon it, which would bear down the most powerful nation of the earth. The government of England at length opened their

* Hallam, iii. 408. Sir Erskine May. Law of Parliament, 427.

eyes to the defect and dangers of it; they shook the power of the aristocracy, but were unable to break it down, and substituted a much more serious evil, by giving birth to a race of political adventurers possessed of an inexhaustible stock of noise and indecorum, always at the disposal of the best and highest bidder."*

It is to the beginning of the period when the English Government "shook the power of the aristocracy but was unable to break it down," that the present chapter relates.

The party of Boyle had triumphed in 1753. He was created Earl of Shannon, and became the most powerful man in Ireland. After a short disgrace however the Primate Stone was restored to favour. He patched up a treaty with Lord Shannon, and with the assistance of the Speaker Ponsonby, the successor of Boyle, carried on the Government through the Viceroyalties of Hartington and Bedford, of Halifax and Northumberland. In 1764 death removed both Shannon and Stone, but the former was succeeded by his equally talented son, who kept up the paternal alliance with the Speaker Ponsonby.

Meanwhile the patriotic party in the walls of Parliament, disgusted at their betrayal for honours and emoluments by their whilom friends in 1753,

* Speech of Lord Clare, 1800.

purged their ranks and defined their objects. In Dr. Lucas they found a leader of probity and perseverance whom persecution and physical infirmity could not daunt, nor bribes tempt; in Mr. Saxton Pery and Mr. John Fitzgibbon the elder, they found eloquent expositors of their cause; their last and most valuable recruit was Henry Flood.

The first step necessary towards breaking the power of the oligarchy was to limit the duration of Parliament. This reform and a *quam diu se bene gesserint* tenure for the judges and the establishment of a national militia, were the immediate objects which the patriotic party set before themselves, as not only desirable but attainable. At the general election which had followed the accession of George III., nearly all the candidates had been obliged to pledge themselves to vote for a Septennial Bill, and the adherents of the dominant Junto were forced with the rest to accept the pledge, though in their hearts they knew that by voting for it they would be sounding the knell of their own ascendancy. They hoped to get rid of the question indirectly, and as the patrons of boroughs who mostly belonged to the dominant party could nearly always count on a majority, they had abundant reasons to hope for success.*

* "The borough system had been developed to such an extent that out of the 300 members who composed the Parliament 216 were returned for boroughs or manors. Of these borough members

Such was the state of affairs when after the brief Lord-Lieutenancies of Hertford, Weymouth, and Bristol, Townshend came over in 1767 as Viceroy of Ireland under the administration of Chatham.

It had been decided by the English Ministers, though of this Townshend does not seem to have been informed, that the Lord-Lieutenant should in future be a constant resident, an arrangement in itself fatal to the power of the Lords Justices, who in the absence of the Lord-Lieutenant exercised all the power and patronage of Government. Townshend was at the same time instructed to take occasion in private conversation to acquaint the persons with whom he should judge it for His Majesty's service to communicate, of the intention of the English Ministers to support the Septennial Bill, and the Judicature Bill, and thereby to encourage the heads of those measures being sent over. Further than this he was directed not to go, in order to avoid alike the discredit of a possible defeat, and the appearance of dictation.*

At the same time the Irish Parliament was to be induced if possible to pass a Bill for augmenting the army, an object of sovereign importance in the

200 were elected by 100 individuals and nearly fifty by ten."—Lecky, "Leaders of Public Opinion in Ireland," p. 65.

* Shelburne to Townshend, October 27th, 1767.

disturbed condition of the country, still heaving and shaking as it was with the disturbances of Oakboys and Whiteboys and Steelboys. Every effort was accordingly to be made to prevent the revenue being frittered away in useless grants and appropriations, and to render the support of the additional men voted possible without any increased taxation, beyond the absentee tax which it was tolerably certain would be sent over. To give a pledge of their own sincerity in the cause of economy, the English Government resolved to abandon the practice of facilitating the administration of affairs in Ireland, by the grants of pensions, reversions, and sinecure places, secured under King's letters on the hereditary revenue.

A misunderstanding with the Cabinet led the Lord-Lieutenant to mention the tenure of the judges in the speech from the Throne with which on the 20th October he opened the Parliament. The consequences of the mistake were serious. The mention of the tenure of the Judges was made into a proof by the patriots, that the English Ministers were opposed to the Septennial Bill.

The party of Lucas and of Pery really believed in the new grievance. The oligarchy in fear of their constituents had to profess to believe in it. But they too had a grievance of their own. Finding that it was the fixed intention of the ministers "to

persevere in the resolution taken before the Lord-Lieutenant's departure, not to grant any pensions for life or years or any places in reversion, and that neither the Lord-Lieutenant nor any of the King's servants did intend to recommend any such grants,"* the party of Shannon and Ponsonby resolved to repeat the manœuvres of 1753, and once again to figure as patriots. They pointed out—and not without some show of reason—that the great prizes of the professions and of politics were frequently the rewards of Englishmen, and now they said the lesser rewards were to be lost to Ireland as well. Their appeals found a ready response. Some delay had taken place in giving the Great Seal, vacant by the death of Chancellor Bowes. His successor it was now urged would be an incompetent Englishman. Such an opportunity was not to be missed. The fiery cross went out at once from Shannon and from Ponsonby to all their political connection, and the Lord-Lieutenant got an early proof of the wisdom of the doubts he had already once expressed as to the difficulty of governing without corruption.† Almost at the moment that he was about once more to convey his apprehensions to the English

* Shelburne to Townshend, November 5th, 1767.

† Townshend to Shelburne, October 27th, 1767. It is worth noticing that at the time of this controversy only one Judge was an Englishman. Camden to Grafton, September 27th, 1767.

Ministers and his own desire to yield, he was roused by a visit from the Attorney-General Tisdal, the organ of the Junto, who came to inform him that besides an address relative to the vacancy of the seals, which might perhaps be carried, he had certain intelligence that a motion would be made in the House of Commons, to grant the supply from three months to three months, or as they termed it, "a short Money Bill."*

The grounds assigned for this step, were discontent at the delay in the appointment of a Chancellor, and a determination not to grant any supplies which were to continue, until the utmost amount of the sums which might be wanted for the increase of the army and perhaps for a national militia was known; the Parliament was also of opinion that a short Money Bill was the only certain method of obtaining those popular bills which had been so often demanded and so constantly refused. Lord Shannon, and the Speaker later in the day, waited on the Lord-Lieutenant and confirmed the statements of their agent. A Council was immediately summoned at the Castle, but the result of their deliberations was only to confirm the already gloomy forebodings of Townshend. Mr. Justice Hewett, one of the Judges of the Court of King's Bench, "a man of known attachment

* Townshend to Shelburne, November 15th, 1767. Autobiography of Grafton.

to Revolution principles, great knowledge and unspotted integrity,"* had already been appointed Chancellor, and was on his way to Ireland, as Shelburne now informed Townshend, at the same time that he reiterated the intention of Government not to recede from their resolution with regard to places and pensions and reversions, the evident object of the attacks of the Junto. "As to the design" he continued "of a short Money Bill, it is impossible for me to express to your Excellency the astonishment with which the account of such a measure having been even entertained in idea, was received by everybody here; a measure, which strikes not only at the dignity of the King, but at the very being of Government. Could it be possible to suppose for a moment that it was to meet with success, great confusion in Ireland would not only be the inevitable consequence; but it would be the just occasion of rejecting the very Bills that were the pretended object of such an unprecedented conduct; in which case the contrivers of such a measure must have stood condemned in the sight both of God and men, and experienced the certain indignation of the public, who must soon see through the flimsy pretext of founding their unjustifiable jealousy upon a comparison of what happened in the administration of the late Lord-

* Shelburne to Townshend, November, 1767.

Lieutenant with the communication now made by your Excellency; the one, as I have always understood, being only the Lord-Lieutenant's personal approbation of a Bill, whereas your Excellency went out apprized of the unanimous determination of the King's servants, to support two of the Bills in Council, and of their favourable disposition to hear whatever should be offered in regard to the two others;* nor is it to be supposed that the guarded manner of making this communication recommended to your Excellency, could have produced any other effect, than that of increasing the confidence of every intelligent person, by showing with what deliberation this measure had been adopted, as far as the King's servants could with safety or propriety go. Could it be meant as an alarm only, it cannot be looked upon in any other light than as one of the meanest stratagems, which low cunning, narrow parts, and interested motives could suggest to any set of men in public affairs.

"I have however very great pleasure in informing your Excellency, that the King's servants persevere notwithstanding, in the same resolution as to the several Bills when they shall come over, in the manner I have mentioned. * * *

"As to the augmentation of the army, I have already written so fully to your Excellency on that

* The Habeas Corpus and the Militia Bills.

subject, that I have nothing to add. It will remain to be seen, after so many instances of His Majesty's inclination to gratify the wishes of his people, whether the principal persons in Ireland, in their conduct upon that head, as well as in the manner of carrying through the whole session, have had the public interest in view, or have been actuated by motives of a less honourable and disinterested nature.

"I will only observe in regard to a Militia, that could a well digested and safe plan be offered, it must meet with the approbation of His Majesty's servants, who are too intent on the security of Ireland not to see with particular satisfaction every addition which can be made to it: but this, so far from rendering an augmentation of the army unnecessary, makes it a measure of essential utility to the safety of that Kingdom, till such a scheme can be brought to perfection, which must be a work of some time. Even then, the number of regular forces will, in time of danger, not be found too great, when they may be wanted to relieve the Militia from so continued a fatigue. I will only add, with deference to your Excellency, who will be better acquainted with the mode of proceeding of the Irish Parliament, that it appears that it was proposed to provide for this augmentation by a vote of credit, in which case there will be no hazard in letting the Money

Bill pass, and the committee of supply be closed. Your Excellency must, however, be sensible, that if the Money Bill should come over loaded with a number of private grants, with what an ill appearance it can be afterwards urged, "that the state of the revenue of Ireland cannot bear" what is absolutely necessary for the public security.*

On the receipt of the above letter Townshend sought another interview with the Junto. They were inexorable in their opposition,† and not knowing where to turn, Townshend caught at some expressions in the recent despatches of Shelburne, and hoped that they might be understood "as meaning that should there come a time particularly critical in the course of his endeavours to carry on the King's business, he might then be permitted to lay before him what should appear to immediately interest the service." "Mankind" he added "judge pretty well how to time their requests."‡ With some assurances based on this despatch he appears to have been able for the moment to quiet the majority, who satisfied with the formidable demonstration they had made, withdrew their opposition and waited. The heads of the Septennial Bill, of a tax on all pensions, salaries and profits of employments, pay-

* Shelburne to Townshend, November 24th, 1767.

† Townshend to Shelburne, December 12th, 1767.

‡ Townshend to Shelburne, November 15th, 1767.

able to persons out of Ireland, and of the Judicature Bill and a Habeas Corpus Bill were next rapidly passed, and transmitted to England. The Parliament then adjourned till January.

In the interval the Junto informed Townshend of the terms on which they would undertake to carry the augmentation of the army through Parliament. "I found" wrote Townshend to Shelburne "by the means of Mr. Prime-Serjeant,* with whom they are most strongly united, and upon whom, as their man of business for conducting this matter through the House of Commons, they intend to rely, that this late transaction† had made the political connection between Lord Shannon and Mr. Speaker much stronger than ever, and if certain points could be obtained for them, they would heartily support and carry through the ordinary business of Government, and even the augmentation itself, to the extent wished for by His Majesty, if certain persons could be brought to lend their names, and co-operate with them, it being understood that they themselves should have their share in the disposal of His Majesty's other favours here in proportion to the number of their friends, and their weight in the country."

Lord Shannon wished, during the absence of

* Hely Hutchinson.

† The affair of the short Money Bill.

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the Lord-Lieutenant, to be appointed one of the three Lords Justices. Mr. Ponsonby expected, that the office of Examinator of the Customs, now in possession of his eldest son, should be given to him and his brother for their joint lives. The Prime-Serjeant expected, that provision should be made for the lives of his two sons then mere boys, by a grant to them, or the survivors of them, of some office of at least the value of 500*l.* a year, if no vacancy should happen before the rising of Parliament, that either a pension or a salary of that amount should be added to some office to be enjoyed by his two sons during their joint lives; that his wife should be created a Viscountess at the end of the session, and a sum of 4000*l.* which he insisted upon as a debt due to him and acknowledged by Lord Hertford, should be at once paid.

"I am sorry to say," wrote Townshend, "these are the terms upon which they promise to support and carry on the King's business, because, from the situation in which they are at present, I think it is the duty at least of the two former to do so without any consideration whatever. Nor can I omit telling your Lordship that they expect to have some ostensible authority communicated to me on these points from your Lordship.

"Should His Majesty be advised to give way to these demands, I cannot doubt but that the business

of the session would be carried through, in the way the King wishes, with the utmost ease." *

To these bold demands thus categorically stated Shelburne replied:

"The terms your Excellency mentions fall within the rule His Majesty has laid down as not to be departed from, that his Ministers stand precluded from proposing to him the granting of places and pensions for life or years. It must therefore remain with the leading persons in Ireland to act in this matter in such a manner as they can answer to their own consciences, as servants to His Majesty, as men of property, and as representatives of the people, to whom they will be accountable for their conduct, and for the evil consequences which may be ascribed to the failure of this measure, which has been so strongly recommended to them by His Majesty. At the same time I may acquaint your Excellency that the King will certainly at the end of the session graciously take into his royal consideration the merits of those who shall have exerted themselves for the support of his Government and the good of Ireland; nor is it to be supposed that the conduct of those who shall have acted from motives of a less honourable nature can escape His Majesty's notice." †

* Townshend to Shelburne, December 12th, 1767.

† Shelburne to Townshend, December 19th, 1767.

On receiving this communication, the Speaker, the Prime-Serjeant, and Lord Shannon declared that they could not support the Augmentation Bill; their friends thought it too late in the session; they were themselves averse to opening the Supplies again, and they demanded that security should be given by an Irish Act of Parliament — and not by an English Act as proposed by the Ministers—that the force to be kept up in Ireland should not fall short of 12,000 men.* Not satisfied with these declarations and their frequent repetition, they at once proceeded to give practical proofs that they were in earnest.

In the financial position when properly understood, they knew that they would be able to find few or no arguments to support their position. The revenues of Ireland, though not at this moment in a prosperous condition, were rapidly recovering the effect of the war. The deficit of the biennial period ending Lady Day 1767 had been 73,000*l.* The deficit for the period ending Lady Day 1769 had been estimated at the same amount, and a "confidential credit" for a loan of 100,000*l.* obtained to cover it. The revenue however recovered so rapidly that the Lord-Lieutenant as the year went on felt himself justified in estimating the deficit at only 39,000*l.* He even ventured to hope for a possible surplus. In any case there was the whole of the loan to fall

* Townshend to Shelburne, January 11th, 1768.

back upon should any temporary difficulty arise from the preliminary expenses connected with the Army Bill. These facts however did not weigh with the Junto.*

Immediately on the reassembling of Parliament, Mr. Saxton Pery moved for a Committee to enquire into the application of the money granted for the support of the military establishment since the 31st of March 1751, and into the present state of the Military Establishment. The Shannon-Ponsonby party supported and carried the motion.† Elated with their victory they proceeded to re-open every dormant question which could be made into a source of annoyance and difficulty. The House of Commons in 1764 had voted a sum for a bridge at St. Kennis. The sum was insufficient, and an application for a supplemental vote was to have been made in 1764. The persons who should have attended to laying this case before the Committee of Supply happened to be absent, and the sum was not voted. The completion of the bridge was a matter of urgent necessity, and the King at the advice of Lord Hertford granted 600*l.* from the Hereditary Revenue for the purpose. The conduct of Lord Hertford was now made the object of a patriotic

* Townshend to Shelburne, November 5th, 1767. May 10th, 1768, and the Journals of the Irish House of Commons, vol. viii. Appendices xv. cxxv. cclxx. cclxxxii. ccclxvii.

† Townshend to Shelburne, January 26th, 1768.

resolution. It was moved "That any application to His Majesty to grant money for any purpose which shall have been under the consideration of this House, and which shall have been refused to be provided by this House, will be considered as highly improper and deserving the censure of this House."* This motion was no sooner carried than another motion was proposed by Mr. Poer "That the several branches of the public revenue of this kingdom not appropriated by Parliament have been from time to time granted to the Crown for public uses."† All the thorny points involved in the struggle of 1753 were thereby re-opened without the slightest necessity. It was at the same time industriously circulated that the Septennial Bill would not be returned by the English Privy Council,‡ and a motion with regard to the Pension List was threatened.§ "My account" said Townshend summing up the situation, "will convince your Lordship that Lord Shannon and the three other gentlemen I have mentioned have now finally taken their part, which whether it is really to distress His Majesty's affairs, or only to alarm his Government so as the more effectually to carry their point, is more than I can tell, but I apprehend that the present temper of the House of

* Townshend to Shelburne, January 28th, 1768.

† Townshend to Shelburne, January 28th, 1768.

‡ Townshend to Shelburne, February 6th, 1768.

§ Townshend to Shelburne, February 9th, 1768.

Commons may in the meantime force them into such measures as must weaken, and perhaps make it impossible again to restore His Majesty's authority in this kingdom. . . . It is now therefore for your Lordship and the King's servants to consider to whom I am to resort, and whether it would be prudent for me to apply to those who are generally in opposition and are called the independent gentlemen of this country."*

The party alluded by the Lord-Lieutenant consisted mainly of the friends and followers of the Duke of Leinster and Lord Tyrone, whom the ancient jealousies between the Fitzgeralds and the Ponsonbys carried naturally to the side of opposition. But there were a few who more really deserved the appellation of "independent gentlemen." "I am to acquaint your Excellency" wrote Shelburne in reply to the question of the Lord-Lieutenant, "that neither the King nor his servants have any predilection for any men or set of men whatever; that having nothing else in view than to conduct the King's affairs honourably and safely to the mutual satisfaction of the Crown and people, they must naturally choose to see the public business carried on without being obliged to make any changes whatsoever among his servants, as long as they are both able and willing to serve; but if they should

* Townshend to Shelburne, January 28th, 1768.

prove deficient in one or other respect, so as to leave your Excellency no reason to expect any solid support from them, I am to acquaint your Excellency that His Majesty not only sees no objection but highly approves of your sending for such gentlemen under the description of 'independent gentlemen,' or any other description not inconsistent with that character of duty and affection which every good subject owes the King, whom your Excellency shall have reason to believe equal to the execution of what you may wish them to undertake. If the conduct of His Majesty's present servants should make such a course appear to your Excellency necessary and prudent, you will not fail to transmit the result of any such communication as early and as particularly as possible for His Majesty's consideration."*

At the same time he announced the return of the Bill for limiting the duration of Parliament, with the Septennial term made Octennial, so as to prevent a general election being held simultaneously in both countries. So excellent was the effect thereby produced that the motion regarding pensions and the Committee for enquiry into the Army were easily got rid of with the help of the new allies of the Government,† and the Earl of Carrick gave

* Shelburne to Townshend, February 10th, 1768.

† Townshend to Shelburne, February 9th and 16th, 1768.

notice that he would move in the House of Lords "that this House will not read a second time any Bill of Aid or Supply to which any clause is added which is foreign to and different from the matter of the said Bill of Aid or Supply." The object of the motion was to restrain the grants attached to Money Bills so graphically described by Lord Clare, and to show the House of Commons that there were other sources of economy besides the pensions granted by King's letters.*

Of the measures which besides the Septennial Bill had been sent over in the previous autumn to the Privy Council in England, the Habeas Corpus Bill was not returned, owing to the disturbed condition of the country which rendered it inapplicable at the moment.† The absentee tax was returned, though Shelburne could not refrain from incidentally pointing out the injustice of treating the pensions of men like "Prince Ferdinand of Brunswick and of Sir Edward Hawke, whose intrepidity and good conduct had so very lately saved Ireland from the dreadful consequences of invasion"† in the same manner as those of the courtiers and disreputable characters with which the first two Georges had crowded the list. The Judges' Tenure Bill was also returned, but with an important

* Townshend to Shelburne, March 17th, 1768.

† Shelburne to Townshend, April 23rd, 1768.

alteration. The heads of the Bill as sent over to England made the Judges removable on the address of the Privy Council and the two Houses of Parliament in Ireland. Shelburne, though averse himself to the principle of the alteration he recommended,* had wished that a clause should be inserted giving the same weight to the Houses of Parliament in England, as if such a clause was not transmitted to the Privy Council in England, it would probably be inserted there.† The Privy Council in Ireland however asked Shelburne not to insist upon his suggestion, as it would certainly be "rejected with indignation." The heads of the Bill were accordingly transmitted in their original shape, but the Privy Council in England at once added to the clause relating to the address for the removal of the Judges, the words "Certified by the Lord-Lieutenant and Council there under the Great Seal of Ireland in like manner as Bills are usually certified, or upon the address of both Houses of the Parliament of Great Britain" thereby making the alteration anticipated by Shelburne.

Finding his old supporters still inflexible, the Lord-Lieutenant invited the Chancellor, Lord Annaly, the Solicitor-General, the Lord Chief Baron

* See his opinions on the Government of Ireland in ch. IX., and Shelburne to Chatham, January 8th, 1774.

† Chatham Correspondence IV., p. 317.

Forster, Mr. Malone, and the Provost of Trinity College, to a confidential meeting. So alarming was the outlook in their opinion, that they recommended the postponement of the Augmentation Bill to another Session, more especially as at the general election, which it was intended to hold immediately after the passing of the Octennial Bill, members might be afraid to lose their seats if they voted for the Augmentation. The postponement did not appear to them liable to any other inconvenience than requiring the presence of the Lord-Lieutenant somewhat sooner than the usual time.* Townshend himself further reported, that "the country gentlemen on whose support he now entirely depended, were very earnest to go into their several counties to look after their elections, and yet would be sorry to have the King's service exposed to the enterprises of ambition. He believed they in general wished to carry through the augmentation upon the most honourable footing, when their elections were over, and many would even give it their best assistance, if they were assured that the weight of the Crown would not be exerted against them hereafter, by those whose designs they now defeated by their zealous support of His Majesty's Government."† At the same time he despatched his Secretary Lord

* Townshend to Shelburne, March 5th, 1768.

† Townshend to Shelburne, February 26th, 1768.

Frederick Campbell to England to lay before the Government more fully the exact character of the situation. *

All suggestions of delay were absolutely refused by Shelburne. He announced the passage through the English Parliament of a Bill taking off the restriction imposed by the 10 William III. on the number of troops to be kept on the Irish establishment, and giving satisfactory security that the force kept in Ireland should amount to 12,000 men; he further agreed that in order to obviate the difficulties which might arise from the immediate demand of a large sum for levy money, extra clothing, and arms, the execution of the plan should not be begun till the 1st of December. This would enable money enough to accumulate to cover all these expenses. He also gave the assurance of protection required by the country members, pointing out that as it was by no means intended that the Lord-Lieutenant should be a non-resident, there was no danger of the Government of the country relapsing into the hands of the oligarchy.†

The crisis was now arrived. The Augmentation Bill was made the subject of a message from the Crown to the Parliament. An amendment was immediately carried to the address in reply by a majority of four. Here is the account of the debate

* Townshend to Shelburne, February 16th, 1768.

† Shelburne to Townshend, March 14th, 1768.

sent by Barré then Vice Treasurer of Ireland to Shelburne:

"Conoly and Dawson moved and seconded; Pery opposed mostly upon the ground that the augmentation was meant to enable Britain to keep more troops in America, in order to crush the spirit of her Colonies; the Attorney-General because it was too late in the session, and that such a measure should always be taken into consideration at the beginning of a session, when the members would have time to consider the state of the national finances; thus leaving himself at liberty to hand in the measure in a subsequent session, when such a conduct would be more reconcileable to his private interest. The Prime-Serjeant was not so prudent, and opposed it in a long languid speech, full of false calculations; among the rest this curious one; that adding 40,000*l.* per annum to the national expense was in fact adding a million to its debt, and that the nation in the next session would be 1,800,000 in debt. If all this is true, how will he have the impudence to support this measure hereafter? But indeed he has contradicted himself three or four times in the course of the session upon this subject.

"He talks now of being dismissed. His profit by his employment is trifling, not above three or four hundred a year. He is personally disliked, a mean gambler, not one great point in him, and exceedingly

unpopular in this country. I must tell you a short anecdote which put him very much out of temper. The day after the first division, he came to Council in a hackney chair, which happened unluckily to be No. 108, (the number of the majority). A young officer at the Castle wrote under the number of the chair, "COURT" in large characters, and at the top a coronet was drawn. He denied positively in the beginning of his speech, any bargain or terms proposed by him at the Castle, but was not believed.

"Lucas tried to get the citizens to instruct him to oppose the augmentation, but not being able to succeed, he contented himself with giving a silent negative. All other attempts to make the measure unpopular were nearly as fruitless, and indeed some members were instructed to vote for it. Dennis did not speak but voted with Lord Shannon. The speakers for Government were, the Solicitor-General, Mason, Cunningham, Butler, French, Bagwell, Burke, Waite, Burton, Fitzgerald, Gore brother to Lord Annaly, Gisborne, who spoke well, and Lord F. Campbell who, to do him justice, chose his ground well, proved that there was no more money wanted than what was already granted by the vote of credit, and showed himself better informed of the state of this kingdom than most of them. He also very properly corrected the Speaker for his strangely inattentive conduct in the Chair when he was speak-

ing, a conduct at which the House took offence. Sir Lucius O'Brien was with the majority.

"The Lord-Lieutenant is hurt and seems low. Sir J. Caldwell is very bustling and has advised him to try the measure again, only dished up in another way; he assured him it would be carried. He did not ask my opinion, and only dropped in conversation what Sir James had recommended. I contented myself with saying that I thought it would be right to sound the first men in the kingdom that were friends, before he committed the dignity of Government in so loose a way. He has this day hurt the chiefs exceedingly, by joining Sir Robert Deane (a mortal enemy) to Lord Shannon in the Government of the county of Cork, and by disposing of some things which the Speaker had almost engaged to some of his followers.

"As far as I am able to judge, this country is manageable easily enough. The prevailing faction exists only by your want of system in England, and avows the hopes of a change in administration there. They have no abilities, and their present and only friend Hutchinson (for Tisdal is quite broke) cannot be depended on for a moment.

"But my Lord, if a resident Governor is not appointed, the game which has been played will continue to be played in a greater or less degree, let you place the power in what hands you will.

"The resources of this country are greater than they are generally imagined, though I am not at present possessed of that full information which I hope to get before I leave Dublin, and which I shall certainly communicate to your Lordship."*

Such was the fate of the Augmentation Bill. A like fate awaited the Judicature Bill, which on being transmitted to the House of Commons was immediately sent to a Committee of Comparison, and on the report of the alterations made by the English Privy Council at once thrown out.†

This was the last proof of their supremacy which Shannon and Ponsonby were able to give, for the Administration, on hearing of the vote on the Augmentation Bill, directed the Lord-Lieutenant to prorogue the Parliament with a view to instant dissolution. Marked distinctions were simultaneously conferred on those who had been most conspicuous in the recent contest on the side of Government. But these distinctions were not in themselves sufficient to have much effect, and if frequently repeated would become a fresh source of corruption. More was needed. Shelburne and Townshend both agreed that it was necessary to strike off the roll of the Irish Privy Council all those corrupt persons who

* Barré to Shelburne, May 5th, 1767.

† "Commons Journals" vol. viii. p. 270; Plowden "History of Ireland" vol. i. p. 388.

had attempted to traffic on their Parliamentary influence, and to remove the exercise of the patronage of the Government entirely from the control of the Lords Justices, vesting it in a resident Governor subject to the control of the English Treasury.* But before this change could be adequately discussed, and before the new Parliament assembled, Shelburne had ceased to have any but a private connection with the affairs of Ireland.

* Shelburne to Townshend. Townshend to Shelburne, July, 1768.

CHAPTER III.

LORD SHELBURNE AND THE BEDFORD WHIGS.

1768–1769.

WHILE Shelburne was attempting to settle the affairs of Ireland, Choiseul convinced that as the Bedford party were in the ascendant he had nothing to fear, and not deeming the moment favourable for a rupture, continued to distribute his cheap protestations of friendship with even greater profusion than before, and at the same time took the opportunity of causing all naval preparations in the ports and arsenals of France to cease, in order to make economies which he hoped might restore some order in the finances of his country. He resolved at the same time to prosecute his schemes of aggrandizement in the South of Europe, where he had less reason to anticipate resistance than elsewhere.

The expulsion of the Jesuits from Spain and Naples had been followed by their expulsion from Parma. The Pope roused by the bold step taken by the Sovereign of the latter petty principality, a blood

relation of the Kings of France, Spain and Naples, threatened his dominions with an interdict, and his person with excommunication.* Benevento was thereupon immediately seized by Naples; Avignon and the Comtat Venaissin by France. Neither in the days when Boniface VIII. was bearded at Anagni by Colonna and Nogaret, nor when Bourbon led his victorious legions over the walls of Rome, had the Papal See suffered such indignities. But the humiliation of the Sovereign Pontiff and the seizure of his dominions did not satisfy the ambition of Choiseul. The annexation of Corsica had long been a favourite idea of French policy, and the time was now come for putting the idea into execution.

Corsica had been in the possession of Genoa ever since 1481; but the rule of the Republic was oppressive, and the island became the scene of constant insurrections. The idea of selling their troublesome possession to France had in consequence been more than once entertained by the Genoese, but in 1743 England formally notified that she would not under any circumstances allow such a transaction. Gastaldi, the Genoese Minister, declared in reply that no such intention was entertained.† During the war of the Austrian succession, England assisted

* Coxe, "Memoirs of the Bourbon Kings," iii. 336.

† "Précis of previous History of the Relations of England and Corsica." Lansdowne House MS.

the rebels, and even after the peace of Aachen clandestine support continued to reach the island, notwithstanding the issue of prohibitory Orders in Council in 1753 and 1763. When finally it became known that a fresh insurrection had been organised under the leadership of Pascal Paoli, the patriotic son of a patriotic father, and a man said to be as eminent for virtue and ability, as the leader of the previous insurrection, Theodore Neuhof, a Westphalian adventurer, had been conspicuous for the opposite qualities, the enthusiasm for Corsican independence grew stronger than ever, especially after the publication of Boswell's account of his tour in the island. The material interests of England were also held by many to be at stake. Burke himself solemnly declared that "Corsica a French province was terrible to him."* The advantages which as a naval station commanding the Mediterranean, it might give to any power desiring to interfere with the commerce and maritime supremacy of England, were insisted upon, and not without reason. On the other hand there were those who with Johnson "wished England to mind her own affairs, and to leave the Corsicans to mind theirs."†

Whether the independence of Corsica from French control was an object worth contending for by arms

* "Cavendish Debates," i. 40.

† Boswell's "Johnson," ii. 21.

may be fairly doubted. The representatives of Chatham in the Ministry felt however that the friendship of France was only waiting for a convenient opportunity to be converted into overt hostility, and that any display of weakness on the part of England was likely to hasten the moment. It was desirable therefore to act with diplomatic vigour, in a case in which not only were the sympathies of the nation strongly aroused, and the maritime interests of the country affected in a greater or less degree, but the course adopted by France was also a clear violation of existing treaties,* and in direct contradiction with her own conduct in protesting against the occupation of the Falkland Islands by England as a violation of the *status in quo*. Again the moment was singularly favourable for the adoption by England of diplomatic action. The councils of the French ministry were as divided on the subject of Corsica as those of England on America,† for the idea of occupying the island at this juncture was peculiarly Choiseul's own, and was therefore unpopular with his numerous enemies at

* The 15th Article of the Treaty of Aachen ran as follows: "It has been settled and agreed upon between the high contracting powers, that for the advantage and maintenance of the peace in general, and for the tranquillity of Italy in particular, all things shall remain there in the condition they were in before the war, saving and after the execution of the dispositions made by the present Treaty."

† Rochfort to Shelburne, June 2nd, July 7th.

court.* He had traded on the party divisions in England to carry out his plan unmolested, and while with a view to economy the navy of France had been allowed to get out of repair, the finances of the country had not had time to recover sufficiently to bear the expense of hostilities.

The Genoese had for some time past been receiving assistance from France under a Convention made in 1764;† the French undertaking to garrison several of the most important military positions on the island on behalf of the Genoese, who in return released a heavy debt owing to them by their allies. Before the end of 1767 France was become the creditor of the Genoese, and not expecting repayment, entered for the second time into clandestine negotiations with Paoli, offering to recognise the independence of the island in exchange for the cession of the province of Capo Corso.‡ The Genoese in alarm now fell back on the idea of selling the whole island to France, and after some preliminary negotiations signed a Treaty on May 15th, 1768 which practically carried out that object.§

Notwithstanding the most sedulous efforts on the part of the High Contracting Powers to keep the

* Rochfort to Shelburne, June 30th.

† Martens, "Recueil des Traités," i. 265.

‡ Mann to Shelburne, May 14th, 1768. On the first negotiation between France and Paoli, see *infra*, p. 155.

§ Martens, "Recueil des Traités," i. 591.

Treaty secret, they were unable to prevent the rumour of its existence reaching England. Choiseul and Châtelet made a bold but unsuccessful attempt to stifle discussion by solemnly declaring that they were "entirely ignorant of any such intention,"* and that they did not know what could occasion the rumour, and *that no resolution was yet taken.*"† Shelburne however knowing with whom he had to deal, refused to be deceived by the smooth assurances of the French Minister, and instructed Rochfort to demand an explanation of Choiseul in the most decided terms. At the same time desiring to have exact information as to the preparations of France and the resources of Corsica, he decided on sending a secret emissary on a tour of inspection through both countries, with instructions to report as soon as possible. With this object Mr. John Stewart a most accomplished linguist was selected. He left England early in May, and began by traversing the whole of the north and east of France. He observed a complete absence of all naval preparations in the ports, great material distress in the large towns, and discontent in the German population of Alsace.‡ He then proceeded to Italy.

Meanwhile the utmost differences of opinion were

* Shelburne to Rochfort, May 13th, 1768.

† Rochfort to Shelburne, March 31st, 1768.

‡ Stewart to Shelburne, June, July 1768.

making themselves felt in the councils of the Ministry. "The Royal Cabinet," wrote Caracciolo the Neapolitan Minister to Tanucci "is not agreed. The Chancellor, the Duke of Grafton, and Lord Shelburne wish to support the Corsicans, these Lords retaining in their minds the manner of thinking of Lord Chatham, of whom they are the creatures; Lord Weymouth and all the Bedford party on the contrary are absolutely against taking any steps which may disturb the general tranquillity and peace. In fact Lord Weymouth has made no difficulty in discovering his sentiments, judging it not to interest this nation what may be the destiny of that island. Having, he says, as England has, the superiority at sea, the French will never be able either in war or peace to hinder their entrance into the ports of the Mediterranean; and in effect it was seen in the last war. France had troops in the maritime places of Corsica and besides that Port Mahon, notwithstanding which the two fleets navigated that sea without any molestation or inconvenience. Shelburne seems on the contrary to consider the affair as a thing of importance."*

The affairs of America still further aggravated the position. Events had been marching with terrible rapidity in the colonies, ever since the arrival of the news that Charles Townshend's taxes had

* Caracciolo to Tanucci, May 27th, June 3rd, 1768.

received the consent of Parliament. Already on the 28th of October 1767 the inhabitants of Boston in town meeting assembled, entered into a non-importation agreement. The two succeeding months were spent in planning how to carry out the agreement. Opposition was determined upon first; the philosophy of opposition was invented afterwards. The distinction between internal and external taxation had been cunningly respected by Townshend, the taxes were port duties and therefore not internal taxation, and the old arguments clearly failed when used against them. It was necessary to look further. In the "Farmer's Letters" of John Dickenson of Pensylvania, the key-note of a new resistance was struck. "We," he argued, "being obliged to take commodities from Great Britain, special duties on their exportation to us are as much taxes upon us as those imposed by the Stamp Act. Great Britain claims and exercises the right to prohibit manufactures in America. Once admit that she may lay duties upon her exportations to us, for the purpose of levying money on us only, she then will have nothing to do but to lay those duties on the articles which she prohibits us to manufacture, and the catastrophe of American liberty is finished. We are in the situation of a besieged city surrounded in every part but one. If that is closed up no step can be taken but to surrender at discretion." The argument was the argu-

ment of Mansfield,* stated in another shape and with an opposite object. Shelburne and Franklin acknowledged the force of the reasoning of the Farmer, and retracted their own previous opinions.

On the 12th of January 1768 the assembly of Massachusetts solemnly passed an address to the English Ministry against the new taxation, and the appropriation of it. They also memorialized the King and the leading English statesmen—Shelburne in their number †—and on the 4th of February resolved to inform the other Colonial Governments of their proceedings against the Acts "that if they thought fit they might join therein." Meanwhile Bernard, Hutchinson, and the Commissioners of Customs wrote to their official superiors exaggerating the disloyal feeling in the colonies, denouncing their liberties, and clamouring for troops. On the 15th of April the news of the circular letter of the 4th of February arrived in England. Hillsborough now in high favour at Court immediately ordered the Assembly in the harshest terms "to rescind the resolution which gave birth to it and to declare their disapprobation of that rash and hasty proceeding." If the Assembly refused to comply they were to be dissolved. The other States were to be called upon to

* See vol. i. p. 385.

† The House of Representatives to Shelburne, January 15th, 1768.

take no notice of the circular, and their Assemblies also were to be dissolved in the event of a refusal. Shelburne opposed this resolution, which recommended itself to the Bedford party and to the King.*

"It is expected every day" wrote Whateley to Grenville "that Lord Shelburne will be out. . . .† About ten days ago Lord Chesterfield (who has always been remarkable for his intelligence) said to Irwin 'I think I smell a change: I rather mean two changes; the first inconsiderable, introductory to a greater. During the interval I fancy Lord Barrington will be Secretary of State, but whatever is done, Mr. Grenville must be Minister before the meeting of Parliament.' Irwin thought by his manner that he spoke from some information which he did not explain, but it is certain that part of what his Lordship smelt ten days ago, was become a general report just before I left London, where it was confidently said that Lord Shelburne was immediately to go out, and to be succeeded by Lord Barrington. . . . The present Solicitor-General seems even now in a doubtful situation; his principal connection I suppose to be Lord Shelburne, and the part he has taken in Wilkes' affair cannot recommend him."‡

Rigby at the same time was pushing Gower and Weymouth to unite with him in insisting with

* Circular letter of Hillsborough, April 21st, 1768.

† Whateley to Grenville, May 21st 1768

‡ Whateley to Grenville, June 4th, 1768.

Grafton on the removal of Shelburne, who they said "betrayed them and opposed all their measures in Council." "The accusation" continues Walpole "was not unwelcome either to the Duke or to the King. The former hated Shelburne for enjoying Lord Chatham's favour, and the King had not forgotten the tricks that Shelburne had played Lord Bute. To make the proposal still more palatable, the Cabal offered to His Majesty the choice of the Duke of Northumberland or Lord Egmont his own creatures, of Lord Holdernesse anybody's creature, or of Lord Sandwich their own friend, to replace Lord Shelburne. Willing as he was to give up the last, the King had adopted a rule of turning [out] no single man, both from pusillanimity, and from never being sorry to embarrass Ministers whom he had not taken from inclination."*

The Bedfords next prevailed on the King through Grafton to name Mr. Lynch, one of their own friends, Minister to Turin.† This was in Shelburne's department, but though he considered Lord Tankerville the "best man for the post," and resented the interference of Grafton, who had not even consulted him before recommending Mr. Lynch to the King, he accepted the explanations which were offered,‡ and no serious consequences ensued.

* Walpole, iii. 222, 223. † Walpole, iii. 244.

‡ Grafton to Shelburne, June 10th; Shelburne to Grafton, June 11th, 1768.

Choiseul on receiving the protest of Shelburne against the annexation of Corsica, "declared to God that when he first thought of his plan he did not believe it could give the least umbrage to any Court in Europe, much less to that of England which was so far removed from the place of action. If, said he, we were not so far engaged in this business—for ten battalions are already landed in Corsica*—seeing the alarm it gives your Court, I would give it up *coûte que coûte, mais de le faire à présent nous serions déshonorés à jamais dans les yeux de tout le monde et la ruine tomberoit particulièrement sur moi. Ainsi que faire? Car pourtant il n'est pas possible d'avoir la guerre pour la Corse. Cela seroit trop ridicule. Pourtant si on nous attaque il faudroit nous défendre. L'alternative est terrible.*" † He at the same time declared his readiness to send the Treaty "when ratified" to the English Court,‡ assuring them that they would find nothing objectionable in its clauses; that it was only a Treaty by which France took territorial security for the re-imbursement of the expenses incurred and to be incurred on behalf of the Genoese; though he oddly enough confessed in conversation with Rochfort that he believed

* Where they at once said publicly that the island was to be annexed. *Gazettino di Corsica*, June 17th, 1768.

† Rochfort to Shelburne, June 2nd, 1768.

‡ Choiseul to Rochfort, June 5th, 1768.

the Genoese would not only never be able to re-imburse them but never intended it, and that consequently France would always be in possession of the places ceded.* The impression left on the mind of Rochfort was that France alarmed at the unexpected display of vigour on the part of England, and being itself utterly unprepared, would yield. "Peace is certainly their present object" he wrote to Shelburne, "the very alarm the whole French nation is in at this moment is a strong voucher how much they dread a war, and it may be added that the Duc de Choiseul is personally interested to prevent it." † "I do not believe" he went on to say "that in any other situation than that they are in at present, they would have taken so soft a tone, and your Lordship sees how apprehensive they are of what the King keeps to himself in reserve, when the contents of the Treaty shall be known." ‡

On the 18th of June Shelburne received a copy of the definitive Treaty, which he at once submitted to the Cabinet.§

* Rochfort to Shelburne, June 2nd, 1768.

† Rochfort to Shelburne, June 2nd, 1768.

‡ Rochfort to Shelburne, June 6th, 1768

§ The material clauses of the Treaty were the following (Martens Tome 1. p. 591).

"Article I. Le Roi de France fera occuper par ses troupes les places de Bastia, St. Florent, d'Algazala, Calvi, Ajaccio, Bonifacio, ainsi que les autres Places, Forts, Tours, ou Ports, situés dans l'Isle de Corse, et qui sont nécessaires à la sûreté des

It was their unanimous opinion that it served only to confirm the idea that an absolute cession of the Island of Corsica to the French was intended. "I had a long conversation after the Cabinet" wrote Shelburne to Rochfort "with the Count de Châtelet, with a view to discover if possible the motives of such a step. But hitherto his instructions do not appear to go beyond the arguments which have been already used to your Excellency, such as the right both France and Genoa have to conclude a Treaty between themselves as independent States, without the intervention of any other Power; the little value of Corsica in itself, its importance to

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Troupes de Sa Majesté, et au but que se proposent le Roi et la Sérénissime République de Gênes, d'ôter tout moyen aux Corses de nuire aux sujets et aux possessions de la République.

"Article II. Les Places et Forts occupés par les Troupes du Roi seront possédés par S. M., qui y exercera tous les droits de la Souveraineté, et lesdits Places et Forts, ainsi que lesdits droits, lui serveront de nantissement vis-à-vis de la République de la dépense que le Roi sera obligé de faire, soit pour occuper, soit pour conserver lesdits Places et Forts.

"Article X. Toutes les concessions particulières, exemptions, franchises, ou priviléges dont jouissoient en terre ferme quelques peuples ou habitans de l'Isle seront abolis, et S. M. prendra en considération les dédommagements qu'elle pourra accorder spécialement aux habitans de St. Bonifacio, de Calvi et de Florent.

"Article II. (séparé). Si par la suite l'intérieur de l'Isle se soumettoit à la domination du Roi, S. M. s'engage envers la République de Gênes à n'en point disposer sans son consentement en faveur d'un tiers."

France alone from its vicinity, the openness of the whole proceeding on the part of France, and in fine the good intentions of France in general, as well as the particular disposition of the King, the interest of the present Ministers and the desire of the whole people to preserve the public tranquillity; the answers to which are so obvious and self-evident, that I have no doubt of your Excellency's having repeatedly urged them, it being clear that whatever right States may have to conclude Treaties amongst each other, it must be with a due regard to the obligations they have entered into by former Treaties, and if none of the powers concerned have claimed to exercise the guaranty of such Treaties, it furnishes still further ground of enquiry, what can the secret motives of Sovereigns be, who are apparently interested, and who on former occasions have been most forward in taking the alarm, to make them remain on the present occasion silent and indifferent.*

"Next to that, as to the importance of Corsica itself, it does in truth appear in a light of defence so trifling an object and so little deserving the expense I may say already incurred, that that very consideration is sufficient to show that something more

* In allusion to the conduct of the empire, which in 1737 had guaranteed the *status in quo* in Corsica; an alliance between Austria and France was now suspected.

is meant, for it cannot be with any degree of credibility asserted that a power like France can really apprehend the enmity of a little island, which must feel itself too happy in its exemption from oppression to risk the heavy hand of a mighty kingdom like that of France, whose conduct in this whole affair has by no means been of a defensive nature, but carried on with that reserve and obscurity in the commencement of the design, and rapidity in its execution, which gives just reason to suspect further views than they even now profess; nor can we any more form a judgment at this time what this matter may end in, than we could at the end of March last foresee what has since happened, having only the same assurances to trust to.

"The experience of all ages shows us that facts alone are to be rested upon between nations, the professions of Ministers being in all times found dangerous and not to be relied upon. Your Excellency is sufficiently apprized of His Majesty's desire to maintain the public tranquillity, of the several proofs he has given of it upon different occasions, never declining to give the utmost satisfaction, where it has been desired with cordiality and with openness. If there is any instance which will bear a contrary surmise, your Excellency is aware that it has been owing not to His Majesty, but to others declining to come to that open and

friendly adjustment of everything depending, which was professed to be their wish. On the other hand your Excellency must be sensible how different the conduct of the Court of France has been in this very instance. It is in vain for the French Minister to pretend that he was not apprized of the manner in which their getting possession of Corsica would be received here, for your Excellency warned him of it, at the time that he solemnly declared to you that *no resolution whatever had been taken as to the Treaty in question.* He afterwards assured your Excellency that the Convention would soon be made public even in the *Paris Gazette*, and that there was nothing but what had been done before by Vienna and France in furnishing the Genoese with auxiliaries to recover their own possessions; notwithstanding which a cession plainly appears on the face of the Treaty, and is so clearly the intention, that the Minister himself, in a subsequent conversation did not scruple to avow, 'that he believed the Genoese would never be able to reimburse them, and even never intended it.' Add to this the alliances which France has since the late peace cultivated with the greatest assiduity, the several preparations which have been continually making both by France and Spain with a view to war sooner or later, the dry and unfriendly conduct of the latter, which is too well known to act under the influence of

France, not to mention the several secret intelligences, to which your Excellency is no stranger, of the endeavours of France to keep alive in every part of His Majesty's dominions every principle of division.

"In this situation it is His Majesty's pleasure that your Excellency should use your utmost endeavours to learn the true motives of the Court of France taking a step in regard to Corsica, which for forty years past they have never ventured upon, though as far as regards Genoa it has been equally in their power; as well as to know the real object the Duke of Choiseul has in view: whether this has been upon a settled plan of the Court of France, or is a measure of the Duke of Choiseul's own, relying upon the reports he may have heard of party divisions, or the opinion he may have conceived of the unconnected state of England.

"In the meantime I am to acquaint your Excellency that nothing could surprise His Majesty more than the idea mentioned by Your Excellency, 'que nous étions un peu adoucis sur cette affaire,'*

* "Choiseul read to me a great part of Count Châtelet's letter, which was very long, in which he gave an account of the conference he had with your Lordship, and by the tenour of his despatch, it appeared that he thought our alarms with regard to Corsica were quieted. Some parts of the letter the Duc de Choiseul read to himself, and after he had finished, he said; 'Je vois avec plaisir que vous êtes un peu adoucis sur cette affaire.'" Rochfort to Shelburne, June 23rd, 1768.

His Majesty's opinion having been always the same upon it."

Choiseul on being informed of the tenour of the despatch exclaimed, "Nous voilà à la guerre," but finding that this theatrical exhibition produced no effect he adopted a more serious tone. He told Rochfort that the king his master, as well as himself, was mortified beyond measure to find England had a mind to make Corsica a pretext for beginning a war, but that if England was really determined upon it, France could not possibly decline the challenge, for she could not retract what she had done in Corsica. He then endeavoured to defend himself against the accusation Shelburne had made against him of his conduct being contrary to his professions, as well as to the pacific principles supposed to be dear to his Court. To the first charge he answered, that when Rochfort first mentioned the affair of Corsica to him in March, *the resolution to invade the island was indeed already taken*, but the treaty not signed, and that as he had not the least idea it would give any alarm, the only motive for hurrying the affair was, that Butofuoco who had come to Paris as the emissary of Paoli, had assured him that Paoli would never consent to any French troops being sent thither; that at the same time the few French troops they had there were at Bastia, and in most of the other places they had none. He said he therefore

hurried the transport of the troops before Paoli could get wind of the Treaty. With regard to the second accusation, of having acted contrary to those pacific principles which his Court had always professed, he said he would say nothing to that, but deny it and renew those professions, as he had orders from his master to do, in the strongest manner. "This is the substance of what he said to me," said Rochfort, "whether sincerely or no I will not pretend to determine, or make myself answerable for the asseverations of any minister whatever, especially a French one, but I will venture to declare, and that upon the strongest proofs, that there is nothing they dread so much at this moment as a war, and that there is scarce anything but they would do to avoid it."*

Frederic the Great clearly saw the course which England now ought to pursue, but he was utterly distrustful of the Ministry. "Pour ce qui regarde l'Isle de Corse," he wrote to Maltzan his Minister in London, "il pourroit m'être plutôt indifférent que la France tâche d'en faire l'acquisition en faveur d'un

* Rochfort to Shelburne, July 4th, 1768. Compare the despatch of July 11th, relating to a subsequent conversation which began and ended in a similar manner, quoted by Coxe, "History of the Bourbon Kings," vol. iii. ch. 66. Only half the conversation is there recorded. It was subsequently and not antecedently to this latter conversation that a change of front took place on the part of Choiseul.

tiers, ou quelles autres vues elle pourroit avoir à cet égard. Je remarque seulement que le Gouvernement Anglois, manifestant si peu de vigueur dans ses mesures vis-à-vis de la France et de l'Espagne, rendra toujours plus entreprenantes ces deux couronnes, et s'imposera de la sorte à elle-même la nécessité d'abandonner le système pacifique qu'il paroît avoir si fort à cœur au moment présent."*

England could had she chosen, have absolutely forbidden the passage of French troops, and those which were already landed would have been starved into surrender between the rebels on land and the fleet at sea. So obvious were these considerations, that it was believed in Paris that the English fleet had already received orders to sail. "Everybody but those of the Duke of Choiseul's party were in the greatest alarm for fear of a war, and besides a notion prevailed of a general bankruptcy taking place. It was certain that the ordinary annual expenditure exceeded the receipts by 30,000,000 French livres. A war would increase the expenditure by 80,000,000 more, and by the best calculations the Revenue by doubling and tripling the vingtième would not be increased above 80,000,000."† "A particular attention" said Rochfort "to their public credit at this moment would give more light

* Le Roi de Prusse au Comte de Maltzan, June 7th, 1768.

† Rochfort to Shelburne, July 25th, 1768.

into their politics than any other observation." The passage of the French troops into Corsica went on but slowly, and active hostilities were not as yet begun. The departure of Chauvelin, the French Commander-in-chief, was put off till July 25th.†

The temerity of the French Minister had placed his country in a difficult position. His enemies openly expressed their exultation; but he was extricated by the party divisions of English politics, on which with true prescience he had reckoned from the beginning.‡

The party of Bedford had been overruled in the Cabinet, but unwilling to accept his defeat, Weymouth never ceased assuring the Ambassadors of the Great Powers, that nothing would induce England to go to war for Corsica.§ These indiscreet utterances did not fail to reach the ears of the watchful Châtelet. He left M. Francés in charge of the French Embassy, and himself hurried over to Paris to assure Choiseul that he could pursue his schemes in security. He received support from an unexpected quarter. "A great law-lord"—it was Mansfield—"being then in Paris declared at one of the Minister's tables that the English Ministry was too weak, and the nation

* Rochfort to Shelburne, July 25th, 1768.

† Rochfort to Shelburne, July 14th, 1768.

‡ Rochfort to Shelburne, June 30th, 1768.

§ Caracciolo to Tanucci, May 27th, June 3rd, 1768.

too wise, to enter into a war for the sake of Corsica."* In a moment everything was changed. "It is astonishing" wrote Rochfort to Shelburne "how since Count Châtelet's arrival the language of everybody is changed, as he has made it his particular business to set it about that we shall not engage in war on account of their expedition." † Chauvelin at once started for Corsica, followed by a formidable army.‡

Grafton now devised a scheme of his own. It was to send surreptitious assistance to the Corsicans. "Many thousand stand of arms were to be furnished from the stock in the Tower, yet so as to give no indication that they were sent from Government." § The scheme combined every possible disadvantage. It excited and justified the hostility of the French, for secrecy in such a case was impossible. As a means of assisting the Corsicans it was ineffectual and ridiculous. Shelburne opposed it. He distrusted Paoli because of his previous intrigues with France,‖ which he feared might be renewed if the help given by England were not open and real. If a modified help only was to be given it

* The Duke of Grafton's Autobiography.

† Rochfort to Shelburne, July 14th and 21st, 1768.

‡ Stewart to Shelburne, August 14th, 1768.

§ Autobiography of the Duke of Grafton, quoted by Bancroft, v. 123.

‖ Shelburne to Mann, June 18th, 1768.

should be by the recognition of Corsica as a belligerent; but in reality the moment for a vigorous policy had gone by, as Grafton himself acknowledged.* The Cabinet "much vexed" at the opposition of Shelburne took the scheme out of his hands,† and without his consent they despatched Mr. Dunant, a Genevese, on a mission to Corsica. Soon after this decision the report of Mr. Stewart arrived. With its picturesque description of the island, and of Paoli himself, it may yet be read with interest.

Florence, 14th August, 1768.

"We sailed the 1st August from Genoa, and on the 3rd came to anchor in St. Fiorenzo Bay. We fell in with a large vessel, a two-decker, and a chebec of twenty guns, but neither of them came near enough to speak with us. The first thing we spied ashore was a camp, which by the help of glasses we found consisted of Horse and Foot, and was well fortified towards the land. This gave us suspicions of hostilities being already begun, which, by return of the boat from shore, we found well grounded. She brought word that the French, the day before, had attacked and carried two villages with some

* Grafton to Shelburne, September 15th, 1768, in answer to Shelburne.

† Autobiography of the Duke of Grafton. Parliamentary History, xviii. 1390. Speech of Shelburne. "I was left alone, and deserted by all my colleagues in office, and brethren in the Cabinet."

loss, that the General's brother was within six or seven miles, with about 2000 men, and that Paoli himself was expected that night with about 3000 more from Corte. Upon this I determined to go ashore without loss of time, and endeavour to get up the country to where the General's brother lay.

"Two gentlemen from the frigate went along with me, and a Corsican, a man of some consideration in the country, whom we had brought from Genoa with us. We landed in a rocky bay near Mortella, and followed the sea shore about two miles till we came to Fornali, a small post opposite to the French camp, with a miserable tower and some broken cannon. The country presented a rude aspect, high mountains and barren rocks, and the appearance of the inhabitants was every way suitable. They were all in arms, every man with his gun, pistol, and stiletto stuck in his girdle. They are clothed in short jackets of coarse brown cloth with cap, breeches, and stockings of the same; this with their dark complexion and long black beards gives them a horrid and savage look. But those impressions soon wore off with us, when we found ourselves received with such expressions of joy and so greatly caressed by those poor creatures, and considered them as a small oppressed people, defending their liberties, unassisted, against the whole power of

France. They never doubted however of our bringing immediate assistance to them. 'Viva l'Inghilterra, viva,' was our welcome everywhere, and the very women as we went along would cry, "Brave Englishmen, save us from the French." At Fornali we were furnished with mules to carry us on, with eight men well armed to escort us. We set out about their twenty-third hour, half an hour before sunset. We had to go behind St. Fiorenzo, and our guides by negligence led us under the cannon of the place, which however gave us an opportunity of viewing their batteries across the bay. The only one of any consequence seemed to be of twelve cannons *à fleur d'eau*. The French fired a gun as we went along: the Corsicans immediately fell flat on their faces, but it proved only the retreat, so we were quit for our fears.

"The village we intended for (Oletta), as I have observed before, lies behind St. Fiorenzo. After crossing a pretty high mountain, we descended into a valley called the Plain of Nebbio, which traverses the island towards Isola Rossa, and may be about three miles wide. Night overtook us here, but the sides of the mountain were all in a flame from the fires at the different villages, to prevent a surprise in the night. We travelled on directed by those lights, not without apprehension of being fired upon by Corsicans as well as French. At length we

arrived at the foot of the mountain on which Oletta stands, but the path we had hitherto followed became all at once impracticable, by stones, bushes, and trenches cut to obstruct an enemy's approach. Our guides, after consulting among themselves, told us it would be dangerous to attempt going any farther this way, but said they would carry us to a village on the right about four miles distant. They recommended to us the most profound silence, particularly to beware speaking a foreign language, that we might not be taken for French. We put ourselves entirely under their direction, and followed through steep and rugged paths, continually on the ascent, where ten men may keep off a hundred, and at last arrived about midnight at the village of Oletta. One of the poor fellows had kept in advance the whole way singing Corsican songs, as a notice to any of their parties who might be out. We found the village on the alert. They challenged us regularly and made us halt till they acquainted their commandant, but no sooner were we admitted and known to be 'Inglesi,' than they all crowded round us without distinction, men, women, children, priests, and monks, jumping upon our necks, kissing our hands, and making the strongest transports of joy. I own the scene affected me much. 'The King of England,' said an Abbé resting on his piece, 'is a generous prince; I always said he would not let the

Corsicans be oppressed. How many ships are there at Mahon? and when do you expect the rest here?" My Lord will easily conceive that in our situation it neither would have been safe nor polite to contradict their expectations, so we replied with general professions of friendship, waiving answers to particular questions the best way we could. They told us we were lucky in not getting to Oletta, for it would certainly be attacked that night, and they further informed us that the General was come down and lay that night at Mureta about three miles off. He was immediately acquainted of our arrival, and next morning we had horses from him to bring us up. We found him at the convent of the Franciscans with several of his officers about him, and his guards in the Court. He received us with great kindness and affability. If the short time I stayed with him will entitle me to pronounce upon character, I should not scruple to say, he is indeed a very great man. His conversation was elegant, sensible, and discovered vast knowledge of men and things. But I shall confine myself to give my Lord Shelburne the substance of what passed between us relative to the affairs of Corsica, hoping his Lordship will excuse the preceding detail of the journey, which I give merely as affording a better idea of the people than I could perhaps convey in another method, not presuming that in any other light it could be interesting.

"I had taken the precaution to carry along with me a letter from Mr. Holford,* recommending me to the General's civilities, and assuring him that he might open himself to me in full confidence, as far as he judged proper. I begun with telling him that I had left England very lately, that the affairs of Corsica were then much the object of public attention; that the English nation in general were much disposed in his favour; that for my part I visited him from mere curiosity and from an earnest desire to serve him if it lay in my power; that I proposed soon to return to England, and should be able to convey safely and directly to the Ministry whatever he thought proper to impart. He said he was much obliged to the people of England; that he was conscious their own interest, jealousy of France, and even sympathy with a people struggling for their liberties, must operate strongly for him with the bulk of the nation, yet he had small hopes of the producing good effects till he had some indication of the sentiments of the Ministry upon their affairs. I told him that I could not take upon me to say with precision what their sentiments might be, but this I was sure, that they were too enlightened and too attentive to the interests of the nation, to let the affairs of Corsica pass over in indifference, and that I was even convinced they were disposed to interfere as far as

* English Consul at Genoa.

the honour and safety of Great Britain would permit. As to the rest, he must know that in Governments like ours, the sentiments of the people must have no small influence upon the Councils of the State. He then seemed to hint, as if he suspected that I had some commission for him, which I was only to open according as I found his situation to be. I protested to him in the strongest and most solemn manner that I had no commission of that sort, and repeated to him again, that as a private man he would find me a true and hearty friend ready to serve him; that I could find means to convey his wishes to the English Ministry, and begged he would open himself to me without reserve. He then said, he was now convinced there was no disguise on my part, and that he would no longer have any reserve for me. He began by telling me, that he looked upon his nation as ruined without foreign assistance; that he was destitute of money, ammunition, and provisions and other implements of war; that his people were already dispirited by the losses that happened two days ago; that the two villages taken by the French (Barbagio and Patrimonio), gave them the entire communication between Bastia and St. Fiorenzo and cut off from him the whole province of Capo Corso, with the island of Capraia. He said the manner the French took to possess themselves of these posts was mean and treacherous; that M. Marbœuf

always declared he would not begin to act till the 6th of August, when the Convention of four years should be expired, but that on the 1st, he sent a line to his nephew who commanded at Patrimonio, telling him that he had orders from the King his master to open the communication between St. Fiorenzo and Bastia, and that if he was not disposed to grant it, he might prepare to defend himself, for that in the meantime he had put the troops in march: half an hour after this, the villages were attacked. He blamed his nephew very much for allowing himself to be surprised, and suspected some treachery on the part of an officer whom he did not name; but I own I think there was a negligence on his (Paoli's) part, to leave a post of that importance in the possibility of a surprise; as to the rest, I acquitted him altogether of collusion. I watched him exceeding narrowly when he spoke of it and could perceive him much agitated, in a manner that seemed natural and unaffected.*

"The loss the Corsicans sustained was very trifling, only five men killed and forty prisoners. The French lost four officers and a great many men. I suggested to him that it was worth while to attempt the recovery of these posts, that it would be a *coup*

* A letter from Rochfort to Shelburne, August, 1768, represents every one at Paris—with the exception of the friends of Choiseul—as ashamed of this piece of treachery.

d'éclat, and greatly serve his cause with the people all over Europe. He said he had meditated a great stroke, when the Convention should be expired. He had formed a project to burn the magazines, and carry off the provisions from the neighbourhood of Bastia, but that M. Marbœuf had got the better of him by breaking the truce; that at present he could attempt nothing; that the French were too well fortified in their posts to dream of retaking them and that a defeat would ruin him for ever; but he said, if he were assisted and St. Fiorenzo attacked by sea, he would engage to keep off all succours from Bastia and would even assault their camp behind; that with the assistance of England alone he could do everything, and it would be impossible for the French to succeed; but as it was at present, he looked upon the Corsicans as devoted to destruction, and with every nation in Europe wishing well to their cause, abandoned by them all. As to England in particular, he did not doubt but at this very moment she was deliberating on the part she ought to take, but while Rome deliberated Saguntum was lost. She would however find, when it was too late, that Corsica would give the French the dominion of the Mediterranean Sea. 'The King of Sardinia,' he said also, 'whose interests are so nearly concerned, looks tamely on, but who knows but he may live to repent it. Should the Corsicans driven from their

own country, as their last refuge in despair fall upon Sardinia, it would become an easy conquest to them, and all his power would not be able to tear it out of their hands, unless like the Genoese he called in his friends the French to retake the island, and gave it them for their pains.' He complained much of the extreme backwardness he had always experienced in the English Ministry to treat with him directly; that he had not found the same delicacy in the nations most closely allied with the Genoese; that he had treated with the Ministers of Spain, Sardinia, Naples, and the Pope, and had been in close correspondence for four years with M. de Choiseul. I interrupted him and said, that perhaps this very correspondence had made the English Ministers more shy; that he must have heard that the French gave out that they acted in concert with him, and that it was even universally believed that he had great offers made him from the Court of Versailles. He replied that he knew too well that such reports were current, that they had even prevailed among his own people for some time, but he would show to the whole world that they were false and insidious. He protested he never had any such offers from France, that there had not been found a man hardy enough to propose them. 'Besides,' added he, 'what temptation can France throw in my way equal to the loss of the reputation, small as it is, which I have acquired

already? I covet neither riches nor pleasures, and have no children nor family to establish: I should live execrated by my own country and despised by France itself.' He said that the only hint of that sort he ever received was three years ago, when on occasion of that vacancy of the Regiment of Royal Corse, he ventured to recommend Colonel Butofuoco to the Duc de Choiseul. His answer was, that the King proposed to incorporate that Regiment with the Royal Italian, but that if he had views that way either for himself or his brother, His Majesty might take other arrangements, and would, he believed, listen to any further proposal on his part. But he declared that since the late Treaty with the Genoese he has had no correspondence directly nor indirectly with M. Choiseul, that before it was signed he sent Butofuoco to remonstrate against it; that the Duke affected to be much offended, saying, Paoli took too much the tone of equality with France, but since that, has often spoken to Butofuoco regretting his (Paoli's) obstinacy, saying that he is a ruined man; and has succeeded in frightening Butofuoco (whom he takes still to be an honest man) upon his account.

"I ventured then to say that I perceived he had once been on a very good footing with M. Choiseul, and was surprised at the present change. He said he would make no scruple to inform me of the substance of all their negotiations together.

"Soon after the close of the late war, when he found all application to England, the natural protector of Corsica, was in vain, having tried it by my Lord Bristol and others, he next thought of turning towards France. At this very time there came to him, with an offer of his service, an officer, whose name I forgot, who had killed his colonel in France. He was a man of parts and address, but Paoli soon found out that he had formerly been employed in Russia as a spy for the French, and was now sent in the same capacity to him. He let him know he was discovered and in his power, but proposed to him to save himself and serve both France and Corsica, by carrying proposals from him to the Duc de Choiseul. He readily accepted the alternative, and Paoli says, executed his commission with fidelity and address, and that even by means of this agent he had almost concluded an alliance for Corsica, upon an independent footing, with France, when M. Praslin stepped in with his four years' Convention with the Genoese, which he (Paoli) says, the Duc de Choiseul always called the Traité Marchandé.* By the Treaty which Paoli meditated at this time, Corsica was to be declared a free nation under the protection of France, attached perpetually and inseparably to her interests, the enemies of the one to be the enemies of the other and their friendships mutual. The advantages which

* In 1764. See p. 122, *supra*.

he held out to engage M. Choiseul were these: he showed the great resource it offered for recruiting the armies and navies of France, and how by its situation it would enable her to give the law to all the Italian states. The King of Sardinia would absolutely hold his island at their discretion, and Piémont itself would be open to her attacks; Genoa, Tuscany, the Pope, Naples and Sicily, would lay equally under the rod, and while these last were in danger, even Spain would be obliged more than ever to cultivate a union with France. As to the English they would no longer be able to domineer in those seas; their fleets might parade in vain at Gibraltar and Mahon, while their trade to Genoa, Leghorn, Civita Vecchia, Naples and all the Levant would lay totally at the mercy of the cruisers from Cape Corse; and their Newfoundland trade, their boasted nursery of seamen, would fail them of course. In the meantime, the French having command of the ports, timber, and seamen of Corsica, would raise her marine to a pitch it never reached before.

"I have been particular as to the advantages held out by Paoli to the French at that time, because it is plain that they will equally arise from the possession they now aspire at, and by a parallel reasoning would equally accrue to the English, were they in the place of the French.

"When Paoli mentioned the seamen of Corsica,

I asked him what number he reckoned upon the island? He said, there were about 4000 in the province of Cape Corse, about 900 coral fishers at Ajaccio, and about 1000 seamen more in the rest of the island, but added he, 'if the nation were once established in peace, their numbers would be doubled in a few years.' I took notice that I saw few or no forests on the mountains where we were; he said they lay in the De la de Monte, that upon the occasion we were speaking of, they had been visited by two inspectors from France, who reported, that there was timber enough, easy to be transported to the sea-shore, capable to supply the royal arsenals for 100 years.

"Paoli continued to relate the negotiations he had with France. After his project was broke off by the Convention with Genoa, he continued still to correspond with M. Choiseul, and still flattered himself, through his means to bring about something beneficial to his country. In fact there was at length a Treaty of mediation between them and the Genoese set on foot.* My Lord Shelburne was duly and exactly informed of this Treaty at the time by Sir Horace Mann, which makes it needless for me to enlarge upon it here. I shall only observe, that the French played the part of a true mediator, wanting to reserve the substance to themselves and give to each

* In 1767. See p. 122, *supra*.

party a shell. They asked improperly, Bastia, St. Fiorenzo and the whole province of Cape Corse. Paoli persisted obstinately in refusing this. Butofuoco was his agent, and he told me at last, that he gave secret orders to him (Butofuoco) to consent as a *pis aller* to receive French garrisons into the two towns; but M. Choiseul even rejected this, saying, "that the King was weary of garrisoning towns for other Powers," and so the Treaty broke off. Paoli says, he now knows, that M. Choiseul was never sincere, that he only used his name and the negotiation with him, as means to frighten the Genoese into the cessions which he has now obtained.

"When Paoli had concluded this account, I returned to the present situation of affairs. I told him that if England should interfere and a war with France be the consequence, the English Ministry would no doubt be glad to know with what force he could act in the common cause. He said, he could arm between 30,000 and 40,000 men on the island, besides about 4000 at sea. I mentioned to him that I had seen a chart of Corsica taken from a Genoese survey in 1736, with a list annexed of the inhabitants in the different districts amounting in all to no more than 116,000, which according to the common computation of one-fifth, could not give more than 23,000 fit to bear arms.

He replied, he believed the Genoese estimate to have been pretty exact at the time, but that since that, the population was greatly increased and many families returned to the country who were then scattered abroad. That there were no exemptions of rank in their militia, few men altogether useless from age, and that even their boys were of service by the time they were able to bear a gun, in fine, that he could undertake positively to act with 30,000 men. I then observed that, although it was never the spirit of the English nation to endeavour to bridle the people she came to protect, yet it was natural to suppose some towns would be expected to be put in her hand, as ports for fleets and markets for her trade; he said, in the way of absolute property, nothing of that sort could ever be granted, but as to garrisoning certain towns, that would offer no difficulty he believed. 'But' says he, 'there will be little occasion for this; England has a nobler part to play, she has only to declare herself the protector of the Corsican nation, and France must give way. When she sets forth new claims in America, she meets the jealousy of all Europe, whether her cause be just or no. But in this she would have all Europe to support her, even the Princes of the Bourbon family * would wish her success. She has only to say, she asks nothing for

* The Kings of Spain and Naples.

herself, but since the Genoese keep Corsica, let it be free, let the fortifications be demolished, and the ports laid open to all nations. It is plain that Genoa cannot put France in possession of Corsica, so that the latter must trust to conquest alone. When England formerly had reduced Bastia and St. Fiorenzo, and abandoned them afterwards,* she surely meant it in favour of the Genoese, not to be given away to the French.' A language of this sort, Paoli said, would put England in a glorious point of view, and would certainly have its full effect. He assured me there is a secret Article in the Treaty which he heard from a noble Genoese, and which he affirms to be as certain as the Treaty itself, which stipulates that in case England should intermeddle seriously in the affair, so that it be prudent for France to draw back, that then they should put the Genoese once more in possession of Calvi, Ajaccio and Bonifacio, keeping Bastia, St. Fiorenzo and Cape Corse, as a security in their hands for the reimbursement of the sums they may have expended in the attempt.†

* * * * *

"In the conversations which I held with Paoli, I found him clear and intelligent, seeming to understand perfectly the interests of the different nations

* During the war of the Austrian succession.

† Stewart to Shelburne, August 14th, 1768.

of Europe, and even well informed of what passes at their Courts. He is no stranger to the nature of our constitution, and even of the different factions which prevail among us. He knows the names of our present Ministers and the different ranks in which they stand; he mentioned particularly my Lord Shelburne in whose department (he said) the Corsican affairs lay. He appears thoroughly well acquainted with both ancient and modern history, speaks his own language with remarkable eloquence, and the foreign languages rather imperfectly, although he understands them all. He translates English currently from the book. As to his management with the Corsicans, he seems to have them in a tolerable degree of subjection, merely by that ascendant which a man of parts and knowledge is sure to acquire over weak and uncultivated minds, and I find that like Numa and Mahomet he does not scruple to employ even visions, revelations, and dreams to strengthen his power. Religion seems to sit easy upon him, and notwithstanding what his historian Boswell relates, I take him to be very free in his notions that way. This I suspect both from the strain of his conversation, and from what I have learnt of his conduct towards the clergy and monks. If after all, I may venture to pronounce wherein I think him deficient, I should say it is in personal courage. The manner in which he answered when I endea-

vourèd to spur him on to some spirited action, gave me first this idea, and then his complaints of sickness and feverishness as an excuse for his inactivity, seem unsoldierlike and equivocal at best. I ventured to hint this suspicion to a gentleman at Florence, a man of penetration and sense, who knows Paoli well and admires him much; he owned, he always had the same suspicion, and says he never understood that Paoli ever exposed his person in any action with the Genoese. To make up for this defect, he has an elder brother whom he puts forward on all occasions, a true lion, and who joins to constitutional bravery a religious fanaticism, which often leads to great and noble deeds. A priest told me "Signor Clemente de Paoli was always with his hands lifted up before the altar, or with a sword in them in the field fighting the enemies of his country."*

Grafton, on receiving Mr. Stewart's letter which those of Mr. Dunant confirmed, could now only indulge in useless lamentations on the "unfortunate ignorance he had been in as to the disposition of the Corsicans, as well as their power to resist the attacks preparing against them by the French," as otherwise a more decided course of action would have been followed.† But the moment

* Stewart to Shelburne, August 20th, 1768.

† Grafton to Shelburne, September 15th, 1768.

for action was gone by. "Dum Romæ consulitur, Saguntum expugnatur"* exclaimed Paoli, as the enemies of his country closed around him. The islanders after a desperate struggle were forced to submit, and Paoli himself fled to England.

Grafton having failed to expel the French from Corsica, now betook himself to the easier task of expelling Shelburne from the Cabinet. To this he was perpetually urged by the Bedfords and by the King, from whom instigations to remove Shelburne fell daily.† Wilkes had on May 10th been elected for Middlesex and the King remembered the events of 1763.‡ The Princess Dowager went about declaring that Shelburne was the only person in the world more guilty of habitual deception than Holland.§ Even Camden had for some time past looked askant at him,‖ for the conduct of Shelburne on American questions was a perpetual commentary on that of Camden, and it was the affairs of America which were now bringing matters to a crisis.

The riots which took place in Boston on the 10th June, in consequence of the seizure of the Romney sloop by the Custom House authorities, had raised

* Paoli to Mann, July, 1768.

† "Autobiography of the Duke of Grafton."

‡ Walpole, iii. 222, 245.

§ Durand à Choiseul, February 1st, 1768.

‖ "Chatham Correspondence," iii. 333, *note*. The King to Chatham, May 30th, 1767.

excitement in that town to the highest pitch. In the midst of the excitement the circular letter of Hillsborough arrived. The Assembly refused to comply with the demands it contained, and was accordingly dissolved on the 21st of June; but not before it was known that Massachusetts would not lack the support of other Colonies. On the 19th July the riots became known in England. The news was closely followed by letters from the Crown officers announcing an insurrection and demanding troops. The Bedford party insisted on the necessity of using force, and did so with the greater acrimony, because they hoped that one result of such a course being adopted would be the resignation of Shelburne,* who openly "declared that the difficulty was much exaggerated; that it was understood in its origin, its principles and its consequences, that it would be absurd to wish to send to America a single additional soldier or vessel of war to reduce colonies which would return to the mother-country of themselves from affection and from interest, when once the form of their contributions should be agreed upon."† His place was now offered to Egmont, but refused by the latter, who declared that he could not take office without Grenville.‡

* Whateley to Grenville, July 26th, August 4th, 1768.

† Francés to Choiseul, July 29th, 1768, quoted by Bancroft, v. 123.

‡ Chatham Correspondence, iii. 334.

The battle in the Cabinet raged all through August and September. It was decided to send troops, and troops were sent. Bernard clamoured for more troops, and more troops were sent.* The Bedford party was not however satisfied.† "The Administration" wrote Knox, the Under Secretary of State, to Grenville, "are all except Lord Shelburne agreed upon coercive measures. The Chancellor is wholly and absolutely of that opinion.‡ At the same time Shelburne was the only member of the Cabinet opposed to moving for the expulsion of Wilkes from the House of Commons, which was now clamorously urged by the King's Friends.§

On the 5th of October Grafton wrote to Hayes to inform Chatham that he insisted on the dismissal of Shelburne. Chatham had not seen Shelburne or written to him since the ride to Bromley, but he now roused himself to protest against his dismissal. "Lord Shelburne's removal," he said, "would never have his consent nor concurrence; he thought it quite contrary to the King's service. He had a great regard and friendship for him, and considered that his abilities made him necessary in the office he

* Walpole, iii. 231. General Gage to Commodore Hood, August 11th, 1768. Commodore Hood to Lord Temple, September 14th, 1768.

† "Autobiography of the Duke of Grafton;" Hillsborough to Bernard, July 30th, 1768.

‡ Knox to Grenville, September 15th, 1768.

§ Whateley to Grenville, October 11th, 1768.

was in, to the carrying on of the King's business."* He would think his removal most unhappy and very unfortunate for His Majesty's service,* and he could not sufficiently lament it, and declared his own resolution of resigning the Privy Seal, in consequence of his dismissal from the Secretaryship of State, and that of Sir Jeffery Amherst from the Government of Virginia."†

The dismissal however never took place. On October 19th Shelburne obtained an audience of the King. "He did not hint his design to any of the Ministers; he only desired Lord Weymouth would let him go in alone, as he had something particular to say to the King, and at coming out, told Lord Northington that he might, if he pleased, tell the Ministers a piece of news, for that he had just resigned the Seals."‡ The Bedfords now remained masters of the field. They at once made their power felt. Led by the Duke himself, they proposed and carried an address to the Crown to bring over and prosecute

* Chatham Correspondence, iii. 337, *note*.

† Chatham to Grafton, October 12th, 1768. It is difficult to see any justification for Chatham in objecting to the removal of Sir Jeffery Amherst. He was a non-resident governor of a colony which had been most forward in expressing sympathy with Massachusetts, and the assembly had complained of his absence. Amherst was besides offered a pension equal to the value of his salary.

‡ Walpole, iii. 247, 289. Whateley to Grenville, October 27th, 1768.

in England all who had been engaged in treasonable practices in America. For this purpose an obsolete statute of Henry VIII. was to be revived, and the first speech which Shelburne made from the Opposition benches was against this iniquitous proposal.* At the same time the expulsion of Wilkes from the House of Commons was determined upon.

On the day preceding Shelburne's resignation, which was followed by that of Barré, a squib, popularly attributed to Wilkes, † was published in the *Public Advertiser*, describing the leading characters of the Administration and reproducing with a few changes a *jeu d'esprit* which had appeared about a year before in the same journal under the signature of Corrèggio.‡ It purported to contain a vision of the masquerade given by the King of Denmark at the Opera House on the 10th of October. Grafton was Janus, Chatham was King Lear, Weymouth was the landlord of the Bedford Arms. "But no piece" so had said Correggio "could be complete without a young man who will make a capital figure. His features are too happily marked to be mistaken. A single line of his face will be sufficient to give us the heir apparent of Loyola and all the College. *A little more of the devil my lord if you please about*

* Parliamentary History, xvi. 476, 477.

† Grenville Correspondence, iv. 383.

‡ September 16th, 1767.

the eye-brows; that's enough, a perfect Malagrida I protest! So much for his person, and as for his mind, a blinking bull-dog * placed near him will form a very natural type of all his good qualities." Following in the steps of Correggio the "Dreamer of Dreams" in the *Public Advertiser* placed Shelburne on his stage as a Jesuit.† The sobriquet thus invented stuck to its object, and Shelburne for ever after appeared in every caricature of the day in the guise of the famous Portuguese ecclesiastic, who some years before had been strangled and burnt by orders of Pombal, for his real or supposed share in the conspiracy of the Duc d'Aveiro.‡

* An allusion to Barré.

† Grenville Correspondence, iv. 383.

‡ Sir N. Wraxall writing of his journey in Portugal says "In 1772, the State prisons were crowded with unfortunate victims. The tower of Belem, the Fort of the Bougie, situate at the mouth of the Tagus, and the Castle of St. Julien, placed at the northern entrance of that river, were all full of prisoners; among whom, a great proportion had been Jesuits, arrested either in 1758 or 1763, by orders of the first Minister. The subterranean casemates of the Castle of St. Julien contained above a hundred individuals, who could be clearly discerned by persons walking on the ramparts of the fortress, through the iron gratings which admitted some light to those gloomy abodes. I have myself beheld many of them at the depth of fifty or sixty feet below me, pacing to and fro; most of whom, being Jesuits, were habited in the dress of the order. They excited great commiseration. The famous Gabriel Malagrida, an Italian Jesuit, who was accused of having, as confessor to the Marchioness of Tavora, known and encouraged her to make the attempt upon Joseph's life, after being long imprisoned in that fortress, was strangled, and his body subsequently reduced

The circumstances of Shelburne's career had not rendered the imputations of insincerity embodied in the appellation, unnatural in the eyes of those who were not behind the scenes of the political world. The country was constantly being reminded that "the Earl of Shelburne had initiated himself in business by carrying messages between the Earl of Bute and Mr. Fox, and was for some time a favourite with both,"* and then the changes were rung on the eternal story of the "pious fraud." The ambiguous position he had for some time past occupied in a ministry, from the chief measures of which he was known to differ, could be justified by facts known only to a few persons; while the politicians best acquainted with the wheels within wheels of the recent negotiations, were also those most interested

to ashes at the stake in 1761. He appears to have been rather a visionary, and an imbecile fanatic, than a man of dangerous parts. His public execution, when near seventy-five years of age, must be considered as a cruel and odious act, which reflects disgrace on Joseph, and on his minister. Malagrida's name is become proverbial among us, to express duplicity; and has been applied, perhaps unjustly, to one of our greatest modern statesmen, by his political opponents. Many other persons of all ranks, either known or believed to have been, implicated in the Duke d'Aveiro's Conspiracy, remained in 1772 shut up in the various State prisons of Portugal. Most or all of these unhappy sufferers who survived, have I believe been since liberated in 1777, on the accession of the present Queen."—'Memoirs," i. 63.

* "Letters of Junius," October 19th, 1768, under the signature of "Atticus."

in making the character and conduct of Shelburne appear in an unfavourable light. His sudden rise to very high office when a young man increased the number of his enemies. Those who were ready to declare "that before he was an ensign he thought himself fit to be a general, and to be a leading minister before he ever saw a public office," were not unwilling to add that "his life was a satire on mankind" and, while telling the public in the solemn tones of virtuous indignation, "that the treachery which deserts a friend might be a virtue compared to the fawning baseness which attaches itself to a declared enemy,"* they pointed the moral with the story, how Chatham—who was congratulated that "Shelburne had not acted to him with greater insincerity than to his former connections"†—having become the "idol" of Shelburne "introduced him into the most difficult department of State, and left him there to shift for himself."‡ "It was a masterpiece of revenge" said Atticus.§ "Unconnected, unsupported, he remains in office without interest or dignity, as if the income were an equivalent for all loss of reputation. Without spirit

* "Letters of Junius," October 19th, 1768, under the signature of "Atticus."

† "Letters of Junius," October 19th, 1768.

‡ Junius to Chatham, January 2nd, 1768; Chatham Correspondence, iii. 303.

§ "Letters of Junius," October 19th, 1768.

or judgment to take an advantageous moment for retiring, he submits to be insulted as long as he is paid for it. But even his abject conduct will avail him nothing. Like his great archetype, the vapour on which he rose deserts him, and now

"'Fluttering his pennons vain, plumb down he drops.'" *

After however making full allowance for the circumstances of his political position, it remains clear from the unanimity of contemporary testimony that certain faults of manner greatly contributed to injure Shelburne's reputation. While no man obtained more general recognition of his abilities in office, or was able to surround himself with a more devoted body of friends, an overstrained affectation of extreme courtesy, and a habit of using unnecessary compliments in conversation, gained him the reputation with the general public of saying more than he really meant. Even in France, where studied civility would, in those days at least, have met with greater acceptance, his style was not universally popular. An old blind lady of eighty-two writes: "Lord Shelburne has flattered me extremely; he assures me that he shall come again next year singly and solely for the pleasure of seeing me."† Again his fondness for foreign society, and his own extraction, made it possible for his political enemies to insinuate with

* Milton's "Paradise Lost," book ii.

† "Lettres de Madame du Deffand," vol. ii. 597, ed. 1810.

considerable effect in a time of national prejudices, that he was hardly an Englishman either by birth or in character. "Where," said one of the lampoon writers of the day addressing him:

"Where shall I then begin, where end?
But as I wish to be your friend,
Your lineage first I'll trace.
Pray then which would you choose to be,
Since double is your family tree—
Of Teague or Saxon race?

"Shall I to Maurice quite go back,
Who Scotchman-like erst bore a pack,
A merchant in those days;
Or as I mean not here to fret ye,
Shall I commence with surgeon Petty,
Well versed in land surveys?"*

The same notion more delicately expressed may be read in the following letter from Lady Rockingham. "Lady Rockingham presents her compliments to Lord Shelburne. She is totally at a loss what to say for so elegant a requital, beyond all measure and bounds, for the miserable box of Vinigritto snuff which she sent him yesterday (in haste) to take to the House of Lords, imagining from his message to

* The remainder of the poem—which may be found in the Appendix to the "Journals of Horace Walpole," edited by Dr. Doran—is an account of the "pious fraud." The allusion to Maurice "who bore a pack," is apparently a confusion between Antony Petty, the Romsey clothier, father of Sir William Petty, and the Earls of Kerry. Sir William Petty was Physician-General to the Cromwellian army in Ireland, and author of the "Down Survey."

Lord Rockingham, that he wanted some of that snuff to take with him there, which made her take the liberty of sending some ready-mixed in the first box she could find, and such a one as the sight of this he has done her the honour to send in return, would make her ashamed to recollect, but that she only meant it just to convey the snuff to his own snuff-box. It is a serious distress to Lady Rockingham to rob Lord Shelburne of not only much too elegant a box, but also (being crystal) of one that is of all others the most proper for Vinigritto. At the same time she supposes she must not take the liberty of returning it; that would be too English: she is almost tempted to say that his Lordship's extreme politeness is *too French*." *

The imputation of insincerity was indeed indignantly denied by those who had the most abundant opportunities of knowing Shelburne intimately. Franklin and Morellet repeatedly insisted on his perfect straightforwardness, and attributed the attacks made upon him to jealousy; † Mlle. de l'Espinasse considered frankness to be one of the distinguishing characteristics of his nature; ‡ and it was of Shelburne that Sir W. Jones quoted the line of Shakespeare,

"He was my friend, faithful and just to me;"

* Lady Rockingham to Lord Shelburne (undated).

† Morellet, Mémoires, ii. xiv. Diary of Franklin, 1784.

‡ Lettres de Mademoiselle de l'Espinasse, i. lxiii.

but Burke, to whom Sir W. Jones quoted the line, and all the Rockingham Whigs, said Shelburne was insincere, and Burke and the Rockingham Whigs were very honourable men, in the estimation of the world.*

The dislike of Burke was, however, weak compared to that of Walpole, who becomes almost beside himself with indignation at the mention of the name of Shelburne. "The falsehood of Lord Shelburne," he writes,† "was so constant and notorious, that it was rather his profession than his instrument. It was like a fictitious violin which is hung out of a music shop to indicate in what goods the tradesman deals; not to be of service, nor to be depended on for playing a true note. He was so well known that he could only deceive by speaking truth. His plausibility was less an artifice than a habit; and his smiles were so excited that, like the rattle of the snake, they warned before he had time to bite. Both his heart and his face were brave; he feared neither danger nor detection. He was so fond of insincerity as if he had been the inventor; and practised it with as little caution as if he thought nobody else had discovered the secret. With an unbounded ambition of governing mankind, he had never studied them. He had no receipt but

* Correspondence of Burke, iii. 5.

† Journals, ii. 566.

indiscriminate flattery, which he addressed to all, without knowing how to adapt it to any particular person, for he neither understood the characters of men nor penetrated them. Hence his flatteries were so gross, that instead of captivating, they prompted laughter. So ignorant was he of mankind, that he did not know how absurd it was in a man of such glaring ambition to affect having none. He would talk of himself as void of all views, when there was no industry and intrigue of which he was not suspected. The folly of his professions was the only chance he had for not being thought a deep politician, for who could believe that such palpable duplicity was the offspring of anything but of want of sense? He not only had no principles, but was ready for any crime that suited his plans, which seemed drawn from histories of the worst ages—for he was rather a pedant in villany, than a politician who adapted himself to the times in which he lived. Thus a Catiline or a Borgia were his models in an age when half their wickedness would have suited his purpose better—for when refinements have taken the place of horrid crimes, and the manners of men are rather corrupt than flagitious, excess of profligacy is more destructive to ambition than serviceable. He determined to be Prime Minister by any means, but forgot that,

in a country where the faction has any weight, character is a necessary ingredient towards requiring or preserving power. The King hated him, all the higher orders knew him, and the people could have no favourable opinion of him. To combat hatred, suspicion, and at best indifference, he had no arms but a resolution of recommending himself to the King by unbounded flattery and servility, and the power and mercy of the Crown he trusted would maintain him against all other sinister impressions."

It may not be uninteresting to compare with the above picture the character of Lord Shelburne left by Jeremy Bentham, though written several years subsequent to the period to which this chapter relates. "The master of Bowood," he says, "to judge from everything I have seen yet, is one of the pleasantest men to live with that ever God put breath into: his whole study seems to be to make everybody about him happy—servants not excepted; and in their countenances one may read the effects of his endeavours. In his presence they are as cheerful as they are respectful and attentive; and when they are alone, you may see them merry, but at all times as quiet as so many mice. To such a poor devil as I, they are as respectful and attentive as if I were a lord. The only instances of fire I have seen him exhibit have been when he has been declaiming about politics;

yet though I frequently oppose him, and scarce ever join with him, he takes it all in the best part imaginable. It would please you to see how attentive he is upon all occasions to keep out of sight every idea of protection—everything that could give me to understand that he looked upon it as a favour done me to introduce me to great people. . . . . There was a prodigious deal of ambiguity in the general tenor of his language on party subjects; whether genuine or affected I cannot be certain. I rather believe it genuine, because I find it the same on subjects in which party has nothing to do. He used frequently to say, 'Tell me what is right and proper—tell me what a man of virtue would do in this matter.' I told him that Balak, the son of Zippor, wanted Balaam to prophesy, who answered, 'that which the Lord puts into my mouth will I prophesy;' and that was the answer I made. He asked me what he could do for me. I told him 'nothing;' and he found this so different to the universal spirit of those about him, as to endear me to him.

"He had a wildness about him, and conceived groundless suspicions about nothing at all. I remember going to ride out with one of his servants, and being accosted by some man, whom I spoke to out of pure civility; and on mentioning it to Lord Shelburne he seemed to think I was deserving of

suspicion. About the last time I was at his house, I mentioned something about Count Woronzof, and he fancied I had been sent by Woronzof to communicate it. Yet there was about him a good deal of sympathy: a curious mixture too of what was natural and what was factitious. He had a sort of systematic plan for gaining people. I was quite surprised to find the interest he had shown towards me. The particulars did not immediately occur to my thoughts, nor did I immediately gather up the threads of them till long afterwards. He had a way of talking in fits and starts. His mind seemed always in a state of agitation with the passion of ambition and the desire of splendour. His head was not clear. He felt the want of clearness. He had had a most wretched education, and a foolish father and mother, of whose management of him he always talked with horror. When I once spoke to him of the family mausoleum, he refused to show it to me; for he said it was associated with such disgraceful recollections. He took much pains to consult particular men. I remember going with him to Warwick Castle for a week. There came a man from Birmingham, a man of great eminence whom he had sent for, to get all manner of details in relation to some branch of political economy.* There was artifice in him, but also genuine good

* This was Mr. Garbett.

feelings. He did not talk in the pride of ancestry. What endears his memory to me is, that though ambitious of rising, he was desirous of rising by means of the people. He was really radically disposed. He had quarrelled with the Whig aristocracy, who did not do him justice; so he had a horror of the clan, and looked towards them with great bitterness of feeling. That bitterness did not break out in words, though of him *they* spoke most bitterly."*

* Bentham's Works, x. 92, 99, 103, 116.

CHAPTER IV.

THE UNITED OPPOSITION.

1768–1770.

It was the opinion of Walpole that the resignation of Chatham was not anticipated by Shelburne, as the necessary consequence of his own.* The Diary of Lady Shelburne, to which it may not be unpleasant to revert, confirms the above view.

Wednesday, January 21st, 1768.—"I went in the evening to Madame de Walderen's, where everybody was talking of Lady Newnham's accident on the Sunday evening in her chair going from the French Ambassador's, where I had seen her. She was pursued from Soho Square to the narrow passage by Conduit Street, by a man who ran against her chair and her servants, and was several times push'd by them, once so as to be thrown down. In the passage he attack'd her first footman and stabbed

* Walpole, "Letters," vol. v. p. 131.

him in the breast; she found herself immediately set down and surrounded by a mob who took the man. She went directly to her father Lord Vernon's house, where was only one woman servant, and remain'd there in the greatest distress, till the wounded man could be carried home, and properly assisted. The wound appears not to be mortal, and the man who gave it to be a Mr. Ross, an attorney in the City, of good character, but very much in liquor. Amongst the many greater blessings I have to be thankful for to Providence, I rank this escape as one subject more of gratitude, having very much the same route as Lady Newnham to take that evening, but leaving the French Ambassador's later.

Wycombe, Saturday 28th.—As we were breakfasting Jack Conyers* arrived from Oxford. He was as good humour'd and amiable as usual, and enliven'd us extremely. At four o'clock Lord Shelburne came and brought Lord Clare with him, and at half an hour after six our company of dancers began to assemble. We danced in the parlour to the number of fifteen couple. I began the ball dancing a minuet with Lord Clare. I must not omit that Lord Shelburne danced too, which I had never the pleasure of seeing him do before. Amongst our ladies was a very pretty bride, the wife of the Mayor Mr. Rose. Lord Clare divided his compliments between her and Miss

* A cousin of Lady Shelburne.

Kitty Shrimpton. We sup'd at eleven in the India paper room, that we might not encroach upon Sunday morning. During this time my Lord Clare sung ridiculous songs, and the whole was over at twelve o'clock, and nobody the worse for this sober recreation.

March 17*th* (at Bowood).—Lord Bottetort breakfasted with us in his way from Hungerford to Stoke. It being Good Friday we had prayers in the morning, after which I attempted taking a little walk, but was driven back by the cold. The work they are now upon is levelling the lawn before the house, to the edge of the water, for which the weather has been very unfavourable. My Lord is very much satisfied with Farmer Manfield, by whose care the park is got into fine order, and the flock of sheep increasing very fast; these circumstances and the number of work-people employed there, make Bowood have no appearance of the scarcity so alarmingly conspicuous in most parts of this country, and so severely felt by the poor.

22*nd*.—A note from Lady Louisa, who was arrived at Stoke from Ireland, determined me to go and spend the day with her there. I found her looking well but grown thin, which I was not surprised at. She told me Lady Anne (Dawson) was at Harrowgate and surprisingly well in health; that her attendance on her daughter had been continual,

and her sorrow for her of the tenderest, most permanent, and reasonable kind, restrained merely by the submission she pays to the power and will of that Supreme Being, whose beneficence had granted her, for eleven years, the most promising of children. I think it right to posterity, if this Diary should by any means descend to them, to relate the most remarkable of many acts of resolution that her sincere piety enabled her to perform, as an example of how parental tenderness ought to operate on such trials, and as a proof that the Divine support can do all things even in a mind torn by grief and a body worn by sickness. In the last visit the physician made her daughter, she followed him out to ask his opinion of her state. He told her that she could not live twelve hours. She then asked him if he expected any struggle before her death. He answered she was so weak he thought she would go off in faintings. Having heard this she returned into the room and summoning all her courage said to the child,—"My dear Henrietta, I have been asking your physician how soon he thinks you will be well, for you have been so long ill we may expect it now every day. He assures me before this time tomorrow; but as all severe illnesses have their crisis, you must expect first to be extremely sick and faint and at last to be quite overcome with sleep, which you have been so long without, that it will be the

soundest you have ever had, and when you wake you will be stronger, lighter, and better, than you ever remember to have been." The child who was perfectly sensible, seemed pleased, and asked her how she could know that. To which Lady Anne answered that the course of most illnesses were well known, and that she herself always knew that it would be so in this, as it was one many people had had, but as she did not know the exact time of the crisis, would not talk of it to her for fear of making her impatient. In an hour or two the child called her and complained of extreme faintness, upon which she took her hand and said—"Well then my dearest Henrietta think of what I told you." The effect was so blest, that the child smiled upon her and expired.

September 26th.—My Lord returned (to Bowood) and brought with him Mr. Hume; they read office papers together in the evening while we drew and worked.

November 25th.—This morning I had christened, at St. George's Church, a little negro boy of five years old, that was given me by Mr. Richard Wells on Friday last, by the names of Thomas Coulican Phœnix; the latter he had been called after the ship he was brought in. He is pretty, and very good humoured, and I hope by proper care will turn out well.

Christmas Day.—I could no longer delay the pleasure I proposed, in giving my watch to my Lord, and accordingly produced it at breakfast, when he was vastly pleased with it, and did me the honour to accept it. Here he remained till Sunday, January the third, and in the course of that time walked out very constantly till Thursday the last of December, when a fall of snow like that of the preceding year began. Our visitors in the course of that time were Lord Clare and Sir William Codrington, Sir John Hort, Mr. Parker, Mr. Fitzmaurice, Mr. Dunning, Mr. Townshend, Mr. Radcliffe and Col. Barré, besides ourselves, and now and then an accidental visit from our country neighbours, Dr. Rolt, Mr. Daniel Bull, &c. The intense cold killed in one night our poor ourang-outang or man of the wood, and possibly in some measure hastened the death of old Mr. Bull, which is a serious loss to Lord Shelburne, he being a most faithful, able and zealous agent.

July 19th, 1768.—My Lord's business calling him to town, he left me very early this morning with no other company to supply his place than my dear little boy, who after the solitude of the first day was past, has done it better than could have been imagined. I spend my time as follows: at eight I rise, dress and take the child without his nurse, one turn round the shrubbery before breakfast. Im-

mediately after, I go out with him again till a little after eleven, when he sleeps. I then read my chapters in my blue dressing room below stairs, and from that time till two, the "Mémoires de M^elle^ de Montpensier;" then go to see Lord Fitzmaurice dine, and teach him afterwards to spell words, till it is time to dress for my own dinner; after which I have twice taken the air, or walk'd with him, and amused myself in planting Chinese seeds, which Mr. Sulivan gave me, in pots for the hot-house, and after working some of my Paris net trimming, and seeing the child put to bed, walk in the shrubbery till nine o'clock, and then come in and read the Adventurer, or Les Caractères de la Bruyère till supper. I have seen none of my neighbours since my Lord went. My greatest amusement has therefore been receiving two very kind letters from my Lord by Thursday and Saturday's posts.

Saturday, August 20th.—I had the pleasure of coming to Shelburne House from whence I continue this Diary. My Lord was just going to Council as I arrived, with Lord Granby; we had some little conversation upon the steps, and I had full time to walk over and examine the house. It is very noble and I am much pleas'd with it, tho' perhaps few people wou'd have come to live in it, in so unfurnished a state.

August 25th.—After dinner my Lord, Mr. Towns-

hend and Mr. Adams set out for Bowood, where he is also to give Lord Shelburne some plans of buildings, and of joyning the house and offices by an additional apartment.

September 18th.—They told me of a very extraordinary match of Augustus Harvey with Miss Hunter. In order to its being accomplished it is necessary he should own his marriage, and be divorc'd from Miss Chudleigh,* which it is said he sent to her to propose. She answered that she had no objection, but must in honour acquaint him that the moment he declar'd himself her husband, he would become responsible for a debt of sixteen thousand pounds.

October 20th.—I should not omit a very essential event; Lord Shelburne's resignation of the Seals as Secretary of State. It was preceded a week before by Lord Chatham's, of which however my Lord had no intelligence, it being transacted very privately between him and the King, to whom he wrote himself. A report prevail'd in town of its having taken place in consequence of a letter to him, from the Duke of Grafton, proposing to remove Lord Shelburne, which it is said Lord Chatham answered only by enclosing the above-mention'd letter of

* This lady subsequently became Duchess of Kingston. See some letters on this subject in the Grenville Correspondence, vol. iv. 343, 356.

resignation to the Duke of Grafton, and desiring him to deliver it to the King.

November 6th.—My Lord went this morning to Hayes to see Lord Chatham, return'd late, and dined only with Mr. Fitzmaurice and me, to whom he told part of his conversation with Lady Chatham, having had only a glympse of my Lord as he was coming down stairs. It tended to confirm the truth of the report I mention'd before, and to prove that neither the Chancellor nor my Lord Bristol had his authority for continuing to hold or accept a place with the present Administration. I was call'd away in the middle of this by the arrival of Lady Jane Macartney and of Miss Murray. After they were gone Lord Shelburne and Colonel Barré came and sat with me and renewed the conversation of Lord Chatham, till Mr. Price whom we had sent for to Christen our little boy * arrived from Wycombe and sup'd with us.

Tuesday, February 23rd.—Lord Rochfort told Mme. de Viri the first of a very sad story, that has since that time been but too truly verify'd, of Lady Sarah Bunbury having elop'd from Sir Charles with Lord William Gordon.

March 16th, 1769, *Thursday.*—Went in the morning to the Manége, tho' I had some apprehension

* The Honourable William Petty, who died 27th January, 1778.

of being molested by the Mob, it being the day of the Brentford election, when Mr. Dingley was to offer himself as a candidate to oppose Mr. Wilkes; however it was all very quiet.

Friday.—I heard to-day that Mr. Dingley, who went on the part of Administration to offer himself to represent the County of Middlesex in Parliament, in opposition to Mr. Wilkes, was received with great decency by his party when he appear'd on the Hustings at Brentford; but it is most likely their dislike might be restrained by the speeches of Mr. Townshend and Mr. Sawbridge, recommending quiet and good order. Mr. Dingley however could get nobody to propose him, and being very suspicious of some violence, withdrew under the protection of two Sheriffs, and return'd to London by two o'clock to report his ill success, and the re-election of Mr. Wilkes.*

* Wilkes returning from France and surrendering to his outlawry, had been arrested on the 27th of April, 1768, and imprisoned. On June 8th however, Lord Mansfield declared the outlawry void, but sentenced Wilkes to fine and imprisonment for his original offence in publishing No. 45 of the "North Briton," and the "Essay on Woman." On May 10th, Wilkes was first elected for Middlesex. He was expelled the House of Commons on the 3rd of February, 1769, but re-chosen for Middlesex on the 16th of the same month. On the 17th his election was declared void, and himself declared incapable of being elected into the Parliament then sitting. On the 16th of March he was again elected, the candidate against him being Mr. Dingley. On the 17th of March his election was again declared void, and a new election ordered.

[On

April 11*th.*—Ryle came in and told me that there was a great mob before the Palace at St. James; who were very riotous, and insulted the merchants who were gone to the King with an address. We therefore congratulated ourselves on being to spend the day out of town, and when my Lord was ready, Lady Jane,* he and I, and dear little Monna all set out for Wycombe, where I had the pleasure of finding my dear little boy safely arrived the day before. The servants who came down from London after us told us that Sir Fletcher Norton had been obliged to read the Riot Act from the window over the arch of the palace, and that they had dispersed soon after.

Thursday Morning, April 13*th.*—We breakfasted at M^r^ Anson's, who gave a breakfast and concert to Mrs. Montagu, to which she very obligingly invited us. We called upon her and went together, and saw a very fine house, built and ornamented by Mr. Stuart. The company were Count Bruhl, Lord Egremont, Mr. and Mrs. Harris and their daughter, Mrs. Vesey, Mrs. Dunbar, Mrs. Carter, Mrs. Scott, a M. de Vibre, M. de Maltête a President de Parlement, who came over expressly to see a

On the 13th of April he was victorious over Colonel Luttrell, who on the 15th was seated in his place by the House of Commons as member for Middlesex.

* Lady Jane Tollemache.

Riot, but was deterred from going to Brentford by the French Ambassador, and condemned to pass this memorable morning in the calmer scene of Mr. Anson's house and entertainment. From hence I went with my Lord to return his visits, as I was apprehensive I might meet with some Mob, that it would have been disagreeable to pass thro' in a chair. I must here say that this was the day when Mr. Luttrell offered himself to oppose Mr. Wilkes. As he was going out of town by Hyde Park Corner with some gentlemen who attended him, he was pelted by the Mob, and some of his company who were riding first were a little disconcerted and stop'd, which stop'd him who was following, and one of the mob took hold of the bridle of his horse. Capt. Luttrell however gave him a blow with the end of his whip, and disengaging himself gallop'd away to Holland House, where his friends and he breakfasted with Mr. Fox, and from thence proceeded to Brentford, accompanied by several gentlemen. Mr. Wilkes was returned Member for Middlesex, but Mr. Luttrell had 296 votes. Captain Roche withdrew, and Mr. Whitaker who had also proposed himself, had 5 votes.

Friday.—This day they declared Mr. Wilkes incapable of sitting in the House of Commons, and the day after, Mr. Luttrell was declared member for Middlesex, and took his seat in the House of Com-

mons. There have been some meetings of freeholders at Mile End, and it is said they mean to draw up a petition to the King to dissolve the Parliament; however no steps are yet taken."

The excitement, of which the meetings just mentioned were the sign, grew stronger and stronger. Grafton trembled before the storm, but George III. remained undaunted, and determined to get rid of Grafton.

It has already been seen how the King on his accession abandoned the Whigs, and setting up a standard of his own, made his Court the cave of Adullam to which every country squire with an hereditary hatred of revolution principles, and every Jacobite sufficiently clear sighted to recognise the hopelessness of the Stuart cause, eagerly gathered himself and his friends. Prerogative was pitted against privilege by the act of the King himself, and both looked round for allies.

Outside the limits of the court and of the aristocracy lay the rising power of the Middle Classes. The party able to gain their support was certain of ultimate success. "I sell here," said Matthew Boulton to those who like Shelburne visited his works, "what the world desires to have, Power."*

* "Boswell's Johnson,' 'vol. iii. p. 158, 347. See too vol. i. p. 400, where the Mr. Bolden mentioned by Lady Shelburne, is evidently Matthew Boulton, the friend and partner of Watt.

The year which marked the beginning of the ascendancy of Bute had seen the completion of Brindley's Canal over the Irwell; in the year in which he fell, Wedgwood had established the Potteries, and Hargreaves was inventing the Jenny. While Grenville was passing the Stamp Act, Watt was discovering the Steam-engine; while the House of Commons was occupied in expelling Wilkes, Arkwright was inventing the Spinning Machine, and the great English newspapers were attracting to themselves a larger capital and showing increased enterprise as each day passed by. The old Whigs however, forgetting that the Revolution had to a great extent been rendered successful by the support of the commercial classes, resolutely shut their eyes to the signs of the times, and seemed determined not to look beyond the charmed circle of their own family connection. George III. on the other hand, was no wiser. Had he been the Patriot King whose advent had been announced, had he set worthy objects before himself, and known how to attain them, he might have had an easy triumph over his adversaries; nor would he have had far to go to find proper instruments for an enlightened policy in the followers of Chatham, who made "measures not men" their motto. At one moment it seemed as if he had understood the true character of his situation. "The ministry of 1766,"

says Shelburne, "was formed of those who recognised that the Hanover family was become English, and the old mode of false government worn out and seen through. It was proposed no longer to sacrifice all merit and worth in Army, Navy, Church and State, to the miserable purpose of corrupting a majority of the House of Commons, but that the Crown should trust to the rectitude of its own measures, taking care by a scrupulous regard to merit, and a just distribution of honors, to secure a general conviction of its good intentions, and under that conviction to restore the constitution."* It is doubtful however whether the Ministry of 1766 could have had any other termination than failure, even had Chatham not succumbed to illness, for George III., far from resembling the Patriot King, had apparently studied the precedents of royalty in the Stuart period, but without either learning wisdom or taking warning from their example. The objects he set before himself were the extension of his prerogative, the limitation of the political liberties of his subjects, and the suppression of the rights of the colonies. In order to attain these ends he had devoted himself to the formation of a Court party in Parliament, and to the research after a Minister, who, while ready to let the King be the President of his own Council, should have

* "A Fragment of Lord Shelburne's."

the ability necessary to push the royal mandates through the two Houses.

The formation of a Court party had proved the easier task of the two. The "King's Friends" soon began to be heard of as a real power which had to be reckoned with. They were chiefly recruited in the House of Commons from the venal purchasers of boroughs, who found in royal favours and distinctions a shield to their crimes in India and their frauds in England, and among the Peers, by nobles such as Lord Talbot, the worthy successors of the Favourites of the Stuart period. It was in their ranks that in 1766 the fears of the more timid, and the hopes of the less liberal members of the Whig connection, had found encouragement, and it was they, who by sowing dissension broadcast, and by supporting Townshend and the Bedfords against Shelburne and Grafton, had made the King master of the situation, and now hoped that the day was come when constitutional government would become an empty and useless figment. Their most recent exploit had been to force the proceedings against Wilkes on a hesitating Ministry.* Hitherto however the ideal minister had not been discovered. Bute had been tried and found wanting. Only the odium of his unpopularity remained. Shelburne,

* Autobiography of Grafton.

Gower, and Egremont had once been thought of,* but Shelburne had disappointed the royal expectations, Egremont was dead, and Gower seemed unwilling to aim at the highest offices. Grenville was too retentive of parliamentary power; Chatham too independent, and Grafton too indolent, if not too liberal.

The King however had not to wait much longer. In the resignation of Shelburne he found his opportunity. That resignation had left Grafton in a minority in his own Cabinet. Of this an early proof was given. So threatening had the aspect of affairs in America become, that he submitted to his colleagues the propriety of repealing all the taxes imposed by Charles Townshend. By a majority of one the article of tea was excluded from the repeal.† It was the history of the Declaratory Act over again. Though absolutely useless as a fiscal measure the taxation of tea was retained "to keep up the right."‡ Nor was this all. Hillsborough despatched a Circular informing the Colonial Governors of the intentions of the Government, but avoided the use in it of the friendly terms agreed upon by the Cabinet. His colleagues protested, but the King supported him. Grafton at once felt that self-respect

* See vol. i. p. 187.

† Autobiography of Grafton.

‡ The King to Lord North, May 1769, quoted by Bancroft, v. 193.

counselled an early retirement from an impossible situation. Chatham at the same time returning to public life treated him with cold reserve, and Camden, thinking apparently that the Prime Minister had been wanting in decision, assumed a distant attitude, doubly painful at a moment when the proceedings against Wilkes, in and out of Parliament, were daily giving a greater importance to the cordial co-operation of the Chancellor.

While the Administration was thus divided against itself, the Opposition was for a moment more united than it had been for some time past. Soon after the refusal of Temple to serve with Pitt in 1766, a firm alliance had been formed between the former and George Grenville, and it was now suddenly announced that Chatham had acceded to that alliance.* The Middlesex Election, the question which immediately occupied the public mind, rendered co-operation between them easier than it otherwise would have been, for if Temple was personally identified with Wilkes, and Chatham was not, yet they could both agree on the unconstitutional character of his expulsion from the House of Commons, and of the subsequent proceedings, which Grenville, the original enemy of Wilkes, condemned in one of his greatest Parliamentary efforts. Nor on this question was there any risk of an immediate divergence of opinion

* "Chatham Correspondence," iii. 349.

on the part of the followers of Rockingham, who cultivated very friendly relations with the author of the "North Briton," nor with Shelburne, who though distrusting Wilkes and anxious to rescue the City from his undivided sway, recognized that he had become the representative of the rights and liberties of the subject. The intrigues of the Bedford party could not disturb the Opposition, for Rigby was in office.

The House of Commons spent the session of 1769 in fierce debates in which the now united Opposition appeared in full vigour and Barré was especially conspicuous. On one occasion he announced that a motion for rescinding the resolution on seditious libels was to be expected from the Treasury Bench, for the Chancellor when Lord Chief Justice had laid down the law otherwise.* On another he baptized Dyson, who with Jenkinson, had become the chief instrument of the intrigues of the Court, by the name of "Mungo," a black slave in "The Padlock," who is there described as employed by everybody, in all jobs and servile offices;† telling Rigby at the same time that he was a "jolly eating drinking fellow," who finding himself in a comfortable situation seldom spoke.‡ Such are fair samples of the

* Walpole "Memoirs," iii. 272.
† Walpole "Memoirs," iii. 315.
‡ Walpole "Memoirs," iii. 316.

Parliamentary amenities of the period. By the end of the year the excitement reached the Upper House.—The news had arrived of fresh riots and bloodshed in Boston, of the spread of non-importation agreements, and of the contempt and ridicule with which the intended revival of the obsolete statute of Henry VIII. for bringing prisoners from the Colonies to trial in England, had been received. The Spaniards had expelled the English garrisons from the Falkland Islands, hostile intentions were rightly attributed to France, at home the grievances of the Middlesex Election were unredressed, and from every quarter murmurs loud and deep were heard against secret influence and irresponsible advisers. Chatham, the inevitable minister in the event of the expected war with Spain, rode on the whirlwind and directed the storm. So strong did the popular feeling become that even Rockingham, who had stood aloof as long as he was able,* yielded to the popular enthusiasm. On January 9, 1770, Chatham moved an amendment to the address to the effect that the House would enquire into grievances, especially those of the Middlesex Election, while Shelburne spoke of the alarming posture of affairs abroad, where England had not and could not get an ally. The motion was lost, but not before the Chancellor, roused by the voice of his friend, had opposed his

* Walpole "Memoirs," iv. 35.

own colleagues in debate. Rockingham next gave notice that the following day he would call attention to the state of the nation; Grafton asked for a more distant day. Then a scene of excitement and confusion arose. It was felt that the resignation of the Chancellor was impending. "The seals," exclaimed Shelburne, "are to go a begging, but I hope there will not be found in the kingdom a wretch so base and mean-spirited as to accept of them on the conditions on which they must be offered."* The example was contagious. Next day in the House of Commons, Dunning, who was already odious to the Court for his opposition to the proceedings against Wilkes, followed the example of Camden, at whose special request alone he had not resigned in 1768.† As Shelburne had foreseen, the Great Seal did go a begging. At length after many hesitations between accepting the long deferred object of his ambition, and standing by his old connections, Charles Yorke under great pressure from the King chose the former alternative, but whether by his own hand or through illness, died before even affixing the seal to the patent of his own creation as Lord Morden. Meanwhile Dunning had resigned and Rockingham had brought forward his motion on the state of the nation, while

* "Parliamentary History," 1770.

† Autobiography of Grafton. Thurlow was the successor of Dunning.

Chatham was thundering on the Middlesex Election, on the condition of the country, bereft of every ally and become the contempt of Europe, on the oppression of the democratic part of the Constitution, and the necessity of Parliamentary Reform.* Grafton said his head turned, and tendered his resignation. The King accused his minister of deserting him, but accepted his resignation.† The public thought Chatham must be sent for, but it was not Chatham who was now announced to the world as First Lord of the Treasury. North was his successful rival, and from his accession to office, the prospering fortunes of the Opposition began to wane.‡ George III. had found the long wished for Minister; but it was not to the skill of the latter alone, that the King owed his escape from the difficulties which surrounded him.

* January 22nd, 1770.

† Conversation of George III. with Lord Ashburton. See vol. i. 374.

‡ See the Remarks of Walpole, iv. 40, 75.

CHAPTER V.

THE DIVIDED OPPOSITION.

1770–1771.

Losses, dissensions, profligacy, and folly were the causes, according to Walpole, which in the course of 1770 ruined the prospects of the Opposition.* Their dissensions alone, even if unaided by other circumstances, would have been sufficient to produce that result. The extreme violence of the language of the Old Whigs—especially in the House of Commons †—the savage attacks of Junius ‡ on the King, and the

* Walpole "Memoirs," iv. 40.

† Walpole "Memoirs," iv. 42.

‡ It is not my intention to enter into the controversy about the authorship of Junius (which will probably cease at the same time as that about the man in the Iron Mask), more especially as I believe that all the attempts which have been made at various times to fix the authorship either on Lord Shelburne himself or on one of his *entourage*, have hopelessly failed. The statements made by Mrs. Serres in her "Life of Dr. Wilmot," in which she tries to prove an intimate connection between that gentleman and Lord Shelburne, the former of whom is put forward as the true

want of character of Wilkes, were together beginning to produce their inevitable consequence—a reaction. —"Not a dozen counties and only a few boroughs

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Junius, I believe to be entirely false. There are no letters at Lansdowne House from Dr. Wilmot, and the documents which appear in the Appendix to Mrs. Serres' book, were considered by the late Mr. Twisleton to have been, if not forged, at least tampered with. I may mention that in a conversation which I had with Mr. Twisleton three years ago, he told me that he had sometimes been puzzled at the abuse of Lord Shelburne by Junius as contrasted with his praise of Lord Chatham (*e. g.* the letter of Junius to Chatham, January 2nd, 1768). It was clear, Mr. Twisleton said, that Junius could not have known the friendship which existed between the two statesmen. If, however, the view put forward above, viz., that from the end of 1767 to the middle of 1770, a certain coolness existed between them, the difficulty at once disappears; while assuming Junius, as is most likely the case, to have been under the influence of Lord Temple, nothing would have been more characteristic of the latter, than to attempt to widen the breach between his brother-in-law, whose friendship he was at that time sedulously courting, and his only dangerous rival in that brother-in-law's favour.

Whether Lord Shelburne knew who the author of Junius was is a separate question. The only evidence of any importance bearing upon it, is that mentioned in the Preface to this work, which, without attaching too much importance to particular words, it is impossible to put summarily out of court, except on the supposition that Sir R. Philips invented the whole story. The fact also, mentioned in the Preface, and by Mr. Wade in the Introduction to his edition of the letters of Junius, viz., that my grandfather Lord Lansdowne had not had the secret confided to him, proves nothing beyond the fact itself, more especially as it is not clear that he was aware that his father was preparing memoirs at the period of his death.

had petitioned;* and the greater part of England, all Scotland to a man, and Wales were against them."† The Old Whigs becoming alarmed, now wished to draw back, after having voted for the motion of Rockingham, "that the House of Commons in the exercise of its judicature in matters of election is bound to judge according to the law of the land, and the known and established law and custom of Parliament, which is part thereof." Shelburne wished that the Opposition should break with Wilkes, but at the same time carry on the political campaign against the Court with vigour, especially in Parliament. An angry altercation took place at his house between the leaders of the Opposition, the consequences of which were only remedied by the interposition of Chatham, who at that time was affecting great cordiality towards Rockingham.‡ The Opposition in consequence gave a united vote on the bill introduced by Chatham, reversing the adjudications of the House of Commons against Wilkes,§ and for his motion condemning the royal answer to the Remonstrance of the City of London, on the King's

* On the subject of the Middlesex Election.

† Walpole "Memoirs," iv. 41.

‡ "Chatham Correspondence," iii. 437, 438, "I am a stranger to any particular incident at Lord Shelburne's, not being supplied with over much communication." Chatham to Calcraft, March 30th, 1770.

§ "Parliamentary History," xvi. 955, May 1st.

inattention to their petition regarding the Middlesex Election.*

On this occasion Shelburne spoke as follows:—"It is gravely told us," he said, "that the answer lately given to the City Address is similar to the answers given by Charles I., Charles II., James II., and Queen Anne, to similar applications of their subjects for redress of grievances. But are some of the princes here named ranked in the catalogue of excellent sovereigns? Are they venerated as the parents, or despised as the betrayers of their people, and is there no instance upon record that suits the present occasion but instances from the reign of the Stuarts? My lords, since examples from history are to be quoted, let me tell you of one that does honour to the English name, and reflects new lustre upon the hero of the Revolution. Let me tell you of the Kentish Petition, in compliance with which William III. dissolved the Parliament, to let the nation see he had no double game to play, and to shew that

* The King replied, "As the case is entirely new, I will take time to consider of it, and will transmit an answer to you by one of my Principal Secretaries of State." In two days Lord Weymouth wrote to the Sheriffs to know how their message was authenticated, and what the nature had been of the assembly in which it was drawn up. The Sheriffs went the next morning with a verbal message, and insisted on being admitted to an audience to deliver it. Alderman Townshend told the King he came by direction of the Livery in Common Hall assembled; the King replied, "I will consider of the answer you have given me." Walpole "Memoirs," iv. 93.

as he had no interest separate from the interest of his subjects, all parliaments were alike acceptable to him that were agreeable to the wishes of the kingdom. Here is a precedent for royalty, if precedents must be talked of in opposition to common sense; and happy would it be for this country, if it was carefully attended to by our silent Ministers! When I first came into administration, a new tax happened to be agitated, and I was called upon to defend it. My silence was considered as incapacity, and some at this moment wilfully dumb, triumphed not a little because I made no reply. In my turn, therefore, I call upon them to say something in their own favour, something that may savour of modesty, though it does not relish of wisdom; that the world may at least suppose they think themselves in the right, however much their conduct may prove them indefensible. What! still silent? Let them still continue so—I see upon what they depend—but let them take care. National resentment, though slow, is dreadful; and the public is a wolf, which if it does not even bite, will certainly worry a profligate ministry into justice. A noble lord, who spoke just now, harped upon an expression dropt by a noble Earl, relative to secret influence, and seemed to call for an explanation of that phrase. I will explain it to that noble lord.* That secret influence is exercised

* Lord Mansfield and Lord Chatham are the persons alluded to.

by the measures adopted by a set of men who, on his Majesty's accession to the throne of these realms, enlisted under the banners of the Earl of Bute; who impudently call themselves the King's friends, but who are in reality nobody's friends but their own; who have acted without principle with every Administration, sometimes supporting them and sometimes betraying them, according as it served their views of interest; who have directed their attention more to intrigues, and their own emoluments, than the good of the public. This is that secret influence; and if that noble lord, or his adherents, want to be further informed, I refer them to an excellent pamphlet just published, called 'Thoughts on the Cause of the present Discontents.'" *

Chatham however was not inclined to take so favourable a view of the publication of Burke mentioned by Shelburne. He considered, nor did he stand alone, that it was "calculated for no one end but to defy Lord Rockingham and to insinuate that *Mahomet*," in other words Burke himself, "was his prophet." † At the same time the timidity of the Whig Jupiter was making itself more felt every day. When Chatham proposed an address praying for a dissolution of Parliament, so weak was the support he received from Rockingham's followers, that the motion was rejected by sixty to twenty.

* "Parliamentary History," xvi. 966, May 4th, 1770.

† Walpole "Memoirs," iv. 120.

Their conduct on this occasion was the more marked, as during the debate Shelburne closely followed the line of argument used by Sir George Savile in the House of Commons, showing that the fact of Luttrell sitting and voting for Middlesex, *ipso facto*, invalidated the proceedings of Parliament. Lord Egmont contrasting this language with that of Chatham, said that the two opposition statesmen had used inconsistent expressions, for Chatham had dwelt on the disorders in America as rendering a dissolution necessary; Shelburne he said had "blabbed" what Chatham had not dared to "confess." This gave Shelburne the opportunity, while expressing his general concurrence with Chatham, of once more condemning the ministerial policy in America in emphatic terms.*

On May 18th Richmond brought forward his resolutions condemnatory of the American policy of the Government.† The debate which followed was one of the most violent of the time. When speaking on the bill for reversing the adjudications against

* Walpole "Memoirs," iv. 149; "Parliamentary History," xvi. 978, May 14th, 1770.

† "Parliamentary History," xvi. 1010, May 18th, 1770. On March 5th, 1770, Lord North had proposed a bill in keeping with the terms of Lord Hillborough's Circular, repealing all the duties of 1767 except that on tea. The measure passed after meeting the resistance of the whole Opposition—so far as the exception of tea was concerned—in the House of Commons. Being a Money Bill, it was not discussed in the House of Lords.

Wilkes, Shelburne had said that North, by giving Luttrell an appointment under the Crown, in order to enable him to vacate his seat and appear as a candidate for Middlesex, had acted unconstitutionally and ought to be impeached.* Hillsborough now retaliated, and said that not North, but the Minister who had refused to assert the authority of the Crown over the Colonies, ought to be impeached. Shelburne answered by accusing the Government of wishing to establish a royal despotism both at home and in America, and to silence free discussion within the walls of Parliament. "Under these circumstances," he said, "it might become necessary for the Opposition to mark their sense of the situation by ceasing to attend the House." Gower thereupon told Shelburne that the Opposition might please themselves, and appealed to his majority, which he knew he could safely do, to support him against the taunts of speakers whom he said he despised.†

Liberty was indeed, as Shelburne had said, being threatened in England and America alike. Alarmed at the news which reached them of renewed disturbances at Boston, the Ministers on the 6th July issued an order in Council, directing "that the rendezvous of his Majesty's ships stationed in North America should be in the harbour of Boston,

* "Parliamentary History," xvi. 966.

† "Parliamentary History," xvi. 1026.

and that the fortress should be put into a respectable state of defence, and garrisoned by the King's regular troops."* In this condition of affairs Chatham hurried up to London. "I was in town on Wednesday last," he writes to Calcraft, "saw Lord Rockingham and learnt nothing more than I knew before; namely, that the Marquis is an honest and honourable man, but that 'moderation, moderation!' is the burden of the song among the body. For myself, I am resolved to be in earnest for the public, and shall be a *scarecrow of violence* to the gentle warblers of the grove, the moderate Whigs and temperate statesmen."†

The party thus sarcastically alluded to, now took an early opportunity of justifying the taunts levelled at them, and made even their own followers doubt, not only their wisdom, but even their sincerity.‡ A great opposition meeting had been summoned for the last days of September in Yorkshire. When the day arrived, "Mr. Charles Turner proposed a new remonstrance, but to the surprise of the most zealous, Sir George Savile talked with much moderation, and Lord John Cavendish occasioned greater astonishment by advising the assembly to expect by decency

* By a curious coincidence these disturbances took place on the 5th March, 1770, the same day on which Lord North introduced his bill in the House of Commons.

† "Chatham Correspondence," iii. 469.

‡ Walpole "Memoirs," iv. 175.

redress from the King. The assembly not knowing how to decipher this change of language, broke up in perplexity."* Chatham, disgusted at these vacillations, now appears to have resolved to cultivate more friendly relations with Shelburne than he had done for some time previously.† Only a few days before the Yorkshire meeting he had written to him as follows: "It is with extreme pleasure that I learn, by the kind favour of your Lordship's letter, that you are arrived in England, if this wretched island is still to be called by a once respected name. I was counting the hours till I could be assured of your return towards these parts; which from the information at Shelburne House I understood was to be about this time. I trust I need not say, that to see your Lordship is at all times a truly sincere and sensible satisfaction to me. In the present melancholy and most perilous moment, the friends of the public and of each other cannot meet too soon. The dangers from *abroad* are great; but to men, even those will never supersede the fixed determination to pursue inflexibly reparation for our rights *at home*, and security against the like future violations. I wait anxiously to learn

* Walpole "Memoirs," iv. 174, 175.

† No correspondence had passed between Chatham and Shelburne between December 22nd, 1767, and September 29th, 1770, with the exception of one very stiff and formal letter on April 28th of the latter year. See too the letter of Chatham to Calcraft, March 30th, 1770, already quoted.

the result of the meeting at York. I trust it will aim right; but nothing, I expect, will hit the mark full, but the City of London, where the constitution is not yet called *faction*, and where the modern dictionary does not yet enough prevail to proscribe the word *remonstrance*." *

Chatham was probably hoping to be able to reconstruct the Ministry of 1767 with Shelburne as his principal colleague. In the event of war he was the inevitable Minister, and war at this moment seemed most likely, owing to the aggressive attitude assumed by Spain in the matter of the Falkland Islands, where the English settlement at Port Egmont had been seized by an expedition under Don Francesco Buccarelli. The news had first arrived in England in June, and when the details became known the public indignation knew no bounds.

As Secretary of State, Shelburne had attempted by a firm line of conduct to check the aggressive designs of the Bourbon Courts, but the divisions in the Cabinet and the perpetual changes in the Secretary of State's office, had rendered a consistent foreign policy impossible. France had seized Corsica; Spain had evaded the payment of the Manilla ransom, and now committed an act of overt hostility; Prussia,

* Chatham to Shelburne, September 29th, 1770.

the old ally of England, had by our neglect been thrown into the arms of Russia, with which it was now planning the dismemberment of Poland and the invasion of Turkey. In England itself a vague sense of insecurity was spreading, which made a reasonable policy difficult in the face of recurring fits of excitement, and stimulated a demand for increased naval and military expenditure to provide for eventualities in which it was foreseen the country would stand alone.

The vacillations of the Ministry were endless, for their counsels were divided. Lord North wished for peace; Weymouth expected that war must sooner or later result, and wrote meaningless despatches capable of either a peaceful or a warlike interpretation, in order to be able to keep his place, whether North or Chatham carried the day. Rochfort by his outspoken zeal against France, almost restored the tottering credit of the war party in that country. "Milord Weymouth ne parle point," said Choiseul, "et Milord Rochfort parle trop. Le Ministère ne veut pas faire la guerre, et ne sait pas faire la paix."† Shelburne accordingly had an easy task in denouncing the ministerial hesitations and the defenceless condition in which the country, without a fleet worthy of the name, and

* Walpole "Memoirs," iv. 185, 235.

† Walpole "Memoirs," iv. 185.

bereft of every alliance, was situated:* "My Lords," he said, "it is extremely evident whether we commence a war with Spain, or tamely crouch under the insults of that haughty kingdom, whether we spiritedly draw the sword, or purchase an inglorious security by the sacrifice of our national honour, that we shall neither be united at home nor respected abroad, till the reins of government are lodged with men who have some little pretensions to common sense and common honesty. Had our Ministers, my lords, even the wish to act with wisdom, they have not the ability. The mere possession of their places does not give them a capacity to understand or a resolution to execute. They have received no instruction in the real schools of business, and ignorant of everything but their own interests, they look down from their accidental elevation, confused, astonished, terrified. Ashamed to descend and yet afraid to act on the lofty pinnacle of power, the welfare, the reputation of the kingdom is hourly given up; nothing is attended to but the preservation of their official emoluments, and so these emoluments can be preserved, they are deaf to the execrations of their indignant countrymen. For these reasons, my Lords, necessary as a war with Spain may be, who could wish to leave the direction

* "Parliamentary History," xvi. 114, November 22nd, 1770. As to the condition of the fleet at this period, see the extraordinary revelations of Lord Sandwich in 1775. "Parl. Hist." xviii. 284.

of so important a business in such feeble, in such incompetent hands? Indeed, if there was a likelihood, that the difficulty of conducting the military operations of an injured people would force them from the employments they disgrace, it would be actually worth our while to commence a war, merely for the purpose of gaining a fresh administration. But while the baneful influence of the Northern Star continues, peace or war must be equally indifferent, the public will be plundered and betrayed; the glory of the British Crown will be eclipsed and the queen of nations made an object of ridicule to every potentate in Europe."

The above speech gives no inadequate idea of the violence which party-spirit had reached, on on occasion nearly bringing the two Houses into collision. A motion had been carried in the midst of general confusion and in the teeth of a fierce opposition, to clear the Upper House of strangers, in order to prevent the weakness of the fortifications of Gibraltar—the subject of debate—being made known to the world. The members of the House of Commons were removed with the other strangers. On returning to their own House they carried a retaliatory motion. Mutual forbearance ultimately smoothed the difficulty, but the occasion is still recollected owing to the caricature of Lord Marchmont and Lord Denbigh, given by Barré in

the House of Commons when describing the scene in the Upper House: "I could not suppose," he said, "that a single Peer remained. It seemed as if the mob had broke in, and they certainly acted in a very extraordinary manner. One of the heads of this mob—for there were two—was a Scotchman. I heard him call out several times: *Clear the Hoose! Clear the Hoose!* The face of the other was hardly human; for he had contrived to put on a nose of enormous size, that disfigured him completely."*

While however the determined attitude of the country and of the Opposition ultimately forced the Government to show a bold front against Spain, it did not have the effect of bringing Chatham into office, and on the other hand a rupture at this time all but ensued between him and the City, on the support of which he so strongly reckoned. In accordance with the practice of the time, press warrants had been issued to man the fleet. The City authorities, at the instigation of Wilkes, opposed them. Chatham strongly condemned their conduct. "There is reason, I perceive," he writes to Shelburne, "to fear a race of frivolous and ill-placed popularity about press warrants. I am determined to resist this ill-judged attempt to shake the public safety. In this state of things, I shall persevere to do my duty to my country, determined by principle, though

* Cavendish Debates, vol ii. p. 162.

unanimated by hope. As to what the City now intends to do, I wish to hear nothing of it; resolved to applaud and defend what I think right, and to disapprove what shall appear to me wrong and untenable. All the rest is to me, my dear Lord, nothing." He even suggested that the refractory aldermen should be brought to the Bar of the House of Lords. This suggestion was eagerly seized hold of by his enemies in the City. "Your Lordship may easily imagine," writes Shelburne, "that every art of exaggeration and misrepresentation has been employed to create mischief in the City, on the foundation of what dropped from you the other day, of calling aldermen to the Bar. However I have reason to believe that the principles of our friends there, as well as their weight, are much too steady to be so affected."* It is perhaps one of the most striking proofs of Chatham's influence that he was able to induce the City to accept his advice.

Disaster after disaster now fell on the Opposition. The death of Beckford and of Granby was followed by that of Grenville. Temple in consequence announced his intention of retiring into private life, while Camden wavered,† uncertain to what political leader he should attach his fortunes.

"You were in the House of Lords," writes

* Shelburne to Chatham, November 26th, 1770.

† Richmond to Rockingham, December, 1779.

Chatham to Calcraft; "was ever such a state of things, or two such things as omnipotence and imbecility ever joined before? Lord Temple declined attending, and Lord Camden, you perceived, stayed away. Matters are hastening to some crisis, in the interior of the thing called Opposition. I think all is ruined, and am determined to be found in my post when destruction falls upon us. The times are pollution in the very quintessence, and the little manœuvres in opposition behind the scenes are deplorable. I will bring matters before it is long to an explanation; and if Burke's picture of juries and of that mode of justice be to be adopted, I will separate from so unorthodox a congregation."*

Conscious of the divisions of his opponents, North vigorously pushed the advantage they gave him. There is nothing so successful as success. The fall of Choiseul, on whose co-operation Spain had reckoned, enabled him to make a convention on the subject of the Falkland Islands. War was thereby avoided. Wilkes continued to grow in unpopularity, while the illiberal policy pursued towards the American Colonies undoubtedly met with the approbation of the country. The Bedford connection was practically broken up by the death of the Duke; but his followers, led by Sandwich and

* Chatham to Calcraft, November 28th, 1770. The occasion alluded to was a motion about the Falkland Islands.

Rigby, the former of whom now became Secretary of State in the place of Weymouth, continued to support the Administration, and were gradually absorbed into the majority. At the same time the acceptance of the Privy Seal by Suffolk, and the retirement of Temple, was followed by the transfer to the Court of the support of the former friends of George Grenville.* The desertion of Wedderburn from the party of Rockingham, in order to become Solicitor-General, marked clearly which way the tide was running. By February 17th, 1771, of the three great Whig connections, the Grenvilles, the Bedfords, and the Pelhams, which at the beginning of the reign had ruled the country, two had joined the Court, and the third, diminished in numbers and in credit, was engaged, like the Greeks of Byzantium, in domestic quarrels while the enemy stood at the gates.

The only question on which the Opposition could act together was that of the Falkland Islands, and here their own violence defeated the objects they had in view. By the convention with Spain a practical return to the *Uti possidetis* had been made. The

* Lord Sandwich became Secretary of State on December 19th, 1770; but on January 12th, 1771, was transferred to the Admiralty in the place of Lord Hawke. Lord Halifax then became Secretary of State, but dying in the June following, was succeeded by Lord Suffolk. The Privy Seal was then given to the Duke of Grafton, who however refused to attend the meetings of the Cabinet.

attack on Port Egmont was disavowed, and the settlement itself restored, while at the same time any claim of right which the Spanish King might have to the islands, was allowed to be reserved. There were indeed many objections to be urged against this settlement, as Shelburne pointed out in a speech of great force during the debate in the House of Lords on February 14th.* It could fairly be said that a reservation similar to that just mentioned had never before appeared in any public instrument between independent nations, that any assertion whatsoever of English right of sovereignty had been studiously avoided in the convention, that the whole question was liable to be reopened at any moment, that the conduct of the Government had been a mixture of weakness and violence throughout the whole negotiation, that the Manilla Ransom had been entirely forgotten, that the Spanish reparation might have been more complete, and that more advantageous arrangements might have been concluded without precipitating the country into the calamities of war; but these and similar arguments, which Shelburne and the other Opposition peers embodied in an elaborate protest against the congratulatory address to the Crown moved by the Duke of Newcastle, were not sufficient to justify the reservation of right on

* Walpole, iv. 275. "Lord Shelburne spoke better than he had ever done."

the part of the King of Spain being described in terms which might have been applied to the surrender of the Isle of Wight to France, but not to a slight concession in regard to a barren island in the midst of the ocean.

The moment the Opposition were deprived of this subject of declamation, their quarrels began afresh. The decisions of Mansfield were not only at this period—to his eternal glory—laying the foundation of English commercial law, but were also obtaining a more doubtful celebrity by sapping the right of juries to be the judges of the intention of a libel. At the close of 1770, Glyn unsuccessfully proposed a committee to "enquire into the administration of criminal justice, and the proceedings of the judges in Westminster Hall, particularly in cases relating to the liberty of the press and the constitutional power and duty of juries," while Chatham in the Upper House engaged in a review of the legal arguments of Mansfield, as imprudent as it was improper. He would have done well to have recollected the warning of Barré, that were retired soldiers "to attempt to teach Mansfield law, the lawyers might come with their long gowns and their shaven crowns, to teach him how to encamp, how to draw up an army and storm a breach."* As it was, he only

* "Parliamentary History," xvi. 1294.

escaped a crushing defeat by the moral cowardice of the Lord Chief Justice himself, who shrunk from the encounter.

It is beyond doubt that the statutory powers vested in Parliament over the judges are powers to be exercised with the utmost discrimination, and that points of law should not be raised in Parliament except in connection with a motion for the dismissal of an offending judge. The arguments of Chatham in the Upper House, and of the friends of Shelburne in the Lower House, were more than sufficient to support a vote of censure, and this was clearly the course they ought to have adopted. A committee could only be the means of keeping a vote of censure hanging *in terrorem* over the head of Mansfield for a considerable period, and was in itself an unfit tribunal to decide on the conduct of the Lord Chief Justice of England. It must at the same time be recollected that from the earliest times, the House of Commons had exercised a *quasi* judicial power, and that on the second day of every session a grand committee on the Courts of Justice was appointed as a matter of course. This committee, in a period when life and limb were not safe from judges holding their offices at the pleasure of the Crown, had been of no little use in protecting civil and religious liberty from arbitrary inroads. The jurisdiction it claimed was extensive, and the journals of the House

still record, how in 1667 Chief Justice Keeling was summoned to the Bar on the report of this committee, to account for "certain innovations in trials of men for their lives and deaths, and because in some particular cases restraints had been put upon juries."* When the law had secured a permanent tenure to the judges, the committee, though still appointed, ceased to have more than a nominal existence. It was nevertheless open to the Opposition to argue that the same dangers against which the security had been devised, were about once more to grow up in even subtler shapes; and for that reason Glyn, before moving on the 6th of December for the appointment of a select committee, moved that the Clerk "should read the entry in the votes of November 14th, ordering that the grand committee on the Courts of Justice should sit every Saturday afternoon in the House."†

Not having succeeded in getting a committee appointed, the Opposition had to settle what course they would pursue. The supporters of Rockingham announced their intention of introducing an "Enacting" Bill; the friends of Shelburne refused to vote for it, unless it was made declaratory of the

* "Journals of the House of Commons," 1667, vol. ix. p. 4, 22, 37. My attention was called to the above facts by Mr. Bristowe, Q.C., M.P.

† "Almon," ix. 30.

existing right of juries to find on the whole case. "My arguments" says Barré "not being stamped with the name of Rockingham, were disapproved of."* "The object of Lord Chatham," writes Burke to Dowdeswell, "is to prevent you doing anything useful."† "The bill of Dowdeswell" says Chatham, "is a compound of connection, tyranny and absurdity."‡ It was by expressions such as these, that the Opposition showed their mutual affection. Of the two measures an Enacting Bill would perhaps have stood the better chance of passing into law; either proposal however was almost equally certain to be rejected by the majority, while any allowance that the law as laid down by Mansfield was not incorrect, was likely to be used as an argument in the future, in order to prove that even the Opposition acknowledged that the decision "as to libel or no libel" rested with the judge: the very position against which Glyn and Dunning had argued in speeches of great force and learning.§ Be that as it may, the result of these dissensions was that Dowdeswell persevered with his bill and on March 7th was beaten by a majority of 146. "You see my Lord," writes Barré to Chatham, "what a glorious day yesterday was for the Opposition,

* Barré to Chatham, February 21st, 1771.

† Burke to Dowdeswell, February 1st, 1771.

‡ Chatham to Barré, February 21st, 1771.

§ "Parliamentary History," xvi. 1275.

and particularly for its leaders! Nothing under the humour of a Swift or a Rabelais can describe it to you. I went down to the House very angry with them, but in less than an hour they forced me to pity them. Poor things! They told me that they would never do the like again."*

The Opposition being in this distracted and divided condition, it was natural that not a day went by without some fresh illustration being given of the omnipotence of the King's friends. Rights actually in dispute in the Courts of law were summarily disposed of by Act of Parliament in order to favour a private speculation of the Adams, the well-known architects, then in high favour at Court, and to humiliate the City, which claimed the foreshore at the point where the former proposed to erect the building afterwards called the Adelphi. The famous proceedings against the printers of the Parliamentary debates were the next exploit of the majority. Against the Durham Yard Embankment Bill Shelburne signed a separate protest, and his friends were conspicuous in the House of Commons in their opposition to those who in the words of Chatham "had called up a conflict of high and sacred jurisdiction between Parliament and the City of London."†

* Barré to Chatham, March 8th, 1771.

† "Parliamentary History," xvii. 40. Chatham to Barré, March 21th, 1771.

It became clear that there was hardly any measure, however unwise, which the King and his advisers were not ready to attempt and a subservient majority not anxious to accept. Shelburne hoped as a *pis-aller* to rally the various sections of the Whig party in an effort to obtain a dissolution. Temple was willing to leave his retirement for the purpose of making the motion,* but Camden considered the attempt impolitic,† and Rockingham hesitated, being in reality indifferent.‡ "Unreasonable refinements in some, and tergiversations in others"§ destroyed every hope of success. But even an immediate dissolution of Parliament would at best have been a doubtful remedy. The Court would probably have secured as large a majority in the next as it possessed in the present Parliament, nor could any real and permanent alteration be produced except by having recourse to the Reform of the House of Commons. "I never heard a reflecting man doubt," writes Shelburne to Chatham, "on the county representation being the greatest restorative possible of the constitution."‖ . . . . I have mentioned the

* Shelburne to Chatham, April 9th, 1771.

† Camden to Chatham, April 24th, 1771.

‡ Rockingham to Chatham, April 26th, 1771.

§ Chatham to Shelburne, April 24th, 1771.

‖ Shelburne to Chatham, February 25th, 1771.

shortening of the durations of Parliaments to your Lordship more than once, but I have scrupled telling you how very much I have been pressed upon it, until I saw it coincided with your Lordship's general views for the public."* But these ideas only terrified Burke, and when Sawbridge proposed a motion for triennial Parliaments, it was rejected by 105 to 54, "The Rockingham party," says Walpole, "not liking the measure. The idea at best was not quite disapproved, but the execution not much desired by any."†

In the midst of the contests just described Lady Shelburne had died, and Shelburne himself, whose health had since been suffering severely, resolved to leave England as soon as his duties allowed him to do so.‡ "I am heartily sorry," he writes on April 25th, "for the result of the several communications your Lordship has made of your wishes and those of the friends of the public. It is not my business, still less my inclination, to judge the motives of any; the public however necessarily will, and I greatly fear the consequence will either be general despondency, or very ill-judged violence. . . . In this

* Shelburne to Chatham, April 9th, 1774.

† Walpole "Memoirs," iv. 320.

‡ January 5th, 1771. Chatham to Barré, February 20th, 1771. Shelburne to Chatham, February 25th, 1771.

situation I have given the necessary orders for my journey, and hope to be gone in the course of next week, persuaded your Lordship can have no further commands for your humble servant." *

On May the 11th accordingly Shelburne, accompanied by Barré, started on his journey.

* Shelburne to Chatham, April 25th, 1771.

CHAPTER VI.

RELIGIOUS TOLERATION.

1771–1772.

A CONCISE journal shows the two travellers passing through France and Italy, and making observations on the agriculture and manufactures of those countries, but otherwise presents no noteworthy feature, unless it be the anecdote, how at Sens they asked a peasant if the Archbishop was "a very able man" and got for reply "Yes certainly, for he has the *cordon bleu*." In Italy their journey was facilitated by the letters of introduction, with which they were furnished from one society of literati to another. At Milan they made the acquaintance of Beccaria. Returning to France they made a prolonged stay in Paris, and were received by Madame Geoffrin, in whose salon all that was most brilliant in French society was accustomed to gather. There Shelburne met the celebrated Madame de Boufflers, who seems to have produced as great an effect upon him as he did on Mademoiselle de l'Espinasse, the

friend of D'Alembert, and the only lady admitted by Madame Geoffrin to her *dîners des gens de lettres.** He is also heard of in the salon of Madame Helvetius, and in that of M. Trudaine, the enlightened Intendant des Finances. He was introduced to Madame du Deffand, and made acquaintance with Turgot and with Morellet.† The time indeed of his visit could not have been better chosen, for a very different state of things existed in Paris from that which the previous century had seen.

* "Madame Boufflers vint dîner chez Madame Geoffrin mercredi; elle fut charmante; elle ne dit pas un mot qui ne fût un paradoxe. Elle fut attaquée, et elle se défendit avec tant d'esprit, que ses erreurs valoient presqu'autant que la vérité. Par exemple, elle trouve que c'est un grand malheur que d'être ambassadeur, il n'importe de quel pays, ni chez quelle nation; cela ne lui paroît qu'un exil affreux, etc. etc. Et puis elle nous dit que, dans le temps où elle aimoit le mieux l'Angleterre, elle n'auroit consenti à s'y fixer, qu'à la condition qu'elle y auroit amené avec elle vingt-quatre ou vingt-cinq de ses amis intimes, et soixante à quatre-vingts autres personnes qui lui étoient absolument nécessaires; et c'étoit avec beaucoup de sérieux et surtout beaucoup de sensibilité qu'elle nous apprenoit le besoin de son âme. Ce que j'aurois voulu que vous vissiez c'est l'étonnement qu'elle causoit à milord Shelburne. Il est simple, naturel; il a de l'âme, de la force: il n'a de goût et d'attrait que pour ce qui lui ressemble, au moins par le naturel. Je le trouve bien heureux d'être né Anglais; je l'ai beaucoup vu, je l'ai écouté, celui-là: il a de l'esprit, de la chaleur, de l'élévation. Il me rappeloit un peu les deux hommes du monde que j'ai aimés, et pour qui je voudrois vivre ou mourir."—Lettres de Madame de l'Espinasse, vol. i. lxiii.

† "Mémoires de Morellet," I., ch. vi. ix. Rutt, "Life of Priestley," I. 256.

On the death of Louis XIV. it was in English institutions and English literature that the illustrious Frenchmen, who were bent on restoring their country to the high position it once had occupied, sought the long lost fountain of freedom of speech and intellectual independence. Then took place that junction of French and English intellects which has justly been pronounced by far the most important fact in the history of the eighteenth century.* The most eminent Frenchmen visited England, and while in the time of Boileau hardly any one knew the English language, all the leading French authors of the eighteenth century were intimately acquainted with it. The effect was instantaneous. English ideas penetrated into France with the English language.† The freedom of speech with which every subject was canvassed in London, now made itself heard in Paris, and in the mouths of a sceptical and witty nation went far beyond the limits observed in the country where it had originated.

A variety of causes, of which the great prestige of the court and nobility on the one hand, and the comparative weakness of the dissolute and venal clergy on the other, were the chief, turned the destroying current of criticism during the first half

* Buckle, "History of Civilisation," vol. ii., ch. v.

† Voltaire, Collected Works, vol. xxxviii. p. 337. Buckle, vol. ii., ch. v.

of the eighteenth century against the Church rather than against the State. But the State made common cause with the Church, for their interests were indissolubly linked in the maintenance of the *status quo*. Then arose that persecution of the literary class, of which all the most eminent French authors, from Voltaire downwards, were the victims, and the inevitable result of which was to make them in their turn attack, not merely the Church, but Christianity as well, so difficult was it to distinguish between religion itself and the forms which it had assumed. About 1750 however, a great change took place. The discoveries of the early French economists had led the mind of the learned class to realize the immense importance of the doctrine of *laissez faire*, and the injury which a paternal Government, such as then existed in France, invariably inflicts on the objects which it most professes to cherish. At the same time the enormous activity of the authors of the Encyclopedia began to turn popular attention towards physical rather than towards mental science, and to the research of material than of moral truth. Atheism became the fashionable doctrine. Priestley, in his Memoirs, says that all the philosophical persons to whom he was introduced in Paris were unbelievers in Christianity, and even professed Atheists. "As I chose," he adds, "on all occasions to appear as a Christian, I was

told by some of them that I was the only person they had ever met with of whose understanding they had any opinion, who professed to believe in Christianity. But on interrogating them on the subject, I soon found that they had given no proper attention to it, and did not clearly know what Christianity was. This was also the case with a great part of the company that I saw at Lord Shelburne's."* The natural tendency of Atheism is to view all forms of religion with equal indifference, and thus it was that the new school of Political Economy, and the new school of Natural Science, abandoning their interest in religious affairs, combined in an assault on the Government, which persecuted them. Such, briefly sketched, was the condition of French literary society, at the period when Shelburne was received into it on his return from Italy.

Of all the leaders of the new learning none was more prominent than the Baron d'Holbach, and none was more eager to welcome Englishmen, for no small portion of his own writings consisted in translations from English authors. He was himself of German origin, but a Frenchman by naturalization. His house was not only the resort of the ablest literary and scientific men in Paris, but from the cosmopolitan character of the company which gathered under its roof, had gained the title of the

* Rutt's "Life of Priestley," vol. i. 199.

Café de l'Europe. At his house Shelburne now became a frequent guest, and his visits seem to have been repeated nearly every year till France finally ranged herself on the side of the American colonies.

Amongst other distinguished men whom Shelburne visited in Paris was Malesherbes. He returned profoundly impressed. "I have seen" he said "what I had previously considered could not possibly exist, a man, absolutely free from fear and hope alike, yet full of life and warmth. Nothing in the world can disturb his repose; he lacks nothing himself and interests himself actively in everything good. I have never been so profoundly struck by any one in the course of my travels, and I feel sure that if I ever accomplish anything great in what remains of my life, I shall do so encouraged by my recollection of M. de Malesherbes." * It was but a few months since the illustrious jurist had been disgraced for his courageous protest in favour of the rights of the Parliament, the only constitutional check on royal authority in France which had hitherto escaped destruction.†

But by far the most valuable acquaintance which Shelburne made was that of the Abbé Morellet, one of the most distinguished members of the society which gathered at the house of the Baron d'Holbach. The schoolfellow of Turgot and of Lomenie de

* "Lettres de Mademoiselle de l'Espinasse," i. lxiii.

† 18th February, 1771.

Brienne, Morellet was as liberal as the former, and as versatile as the latter. From his youth upwards he had wielded a ready pen, but always as the champion of truth and innocence. His first important work was "Le Manuel des Inquisiteurs," opportunely published in 1762, at the moment when the attention of the country was occupied by the intrigues of the Jesuits.* It at once obtained an enormous circulation, and was not ill received by the Government, over which Choiseul, the sworn foe of the Jesuits, then presided. But before the appearance of the Manuel, Morellet had already obtained a certain celebrity, by making acquaintance with the interior of the Bastille. Through the influence of Madame de Rebecq, an old flame of Choiseul, who had been severely handled by Diderot in the "Fils Naturel," leave had been obtained to place the "Philosophes" of Palissot on the stage. In this piece Helvetius, Rousseau, Diderot, and d'Alembert were held up to public odium. The philosophers, nothing daunted, replied with a series of squibs against Palissot, whose previous career fitted him as little, as her own did

* The Manuel was founded on the Directorium Inquisitorium of Nicholas Eymeric, the Grand Inquisitor, a copy of which Morellet happened to find (1759) in the library of the Abbé de Canaillac at Rome, while attending a pupil, the Abbé de la Galaizière, during the Papal conclave held on the death of Benedict XIV.

Madame de Rebecq, to be the champion of religion and morality. To this series Morellet contributed "La Préface de la Comédie des Philosophes." It contained the following passage amongst others in allusion to "Le Fils Naturel." "Et on verra une grande dame bien malade désirer, pour toute consolation avant de mourir, d'assister à la première représentation, et dire : C'est maintenant, Seigneur, que vous laissez aller votre servante en paix, car mes yeux ont vu la vengeance." Madame de Rebecq was at this moment slowly dying of lung disease. Palissot, in order to whet her indignation, sent her a copy "with the author's compliments." Madame de Rebecq died, but not before she had obtained a *lettre de cachet* which consigned Morellet to the Bastille, from April to August 1760.

On his release he devoted himself to the cause of law reform. Malesherbes had told him that the procedure of the Inquisitorial Courts was only equalled by the criminal procedure of France, and the great treatise of Beccaria translated by Morellet opened the eyes of his countrymen to the possibility of improvement. It is however to his works on Political Economy that the fame of Morellet is chiefly owing. To him, with Adam Smith, belongs the distinction of having popularized a study which had previously been wrapped in technical formulas, and of having brought it to bear on the politics

of the day. At the instance of his friend M. Trudaine, he advocated the abolition of the Internal Customs Line which divided France into so many separate provinces. With greater success he attacked the monopoly of the French East India Company, and at the time of Shelburne's visit was engaged on a commercial dictionary, which however made but slow progress at a period when accurate statistics hardly existed, and those who asked for them were suspected of being either conspirators or spies.

It was at the house of M. Trudaine that Shelburne first met Morellet. Their acquaintance rapidly grew into friendship. They agreed to correspond, and in the following year Morellet visited Bowood, where in the company of Franklin and Garrick, and Barré and Priestley, he seems to have found almost the equivalent of the brilliant society he had left on the other side of the Channel.*

Shelburne often confessed that his connection with Morellet was the turning-point of his own career. In his own words, "Morellet liberalized his ideas."† Previous to this time there is no reason to suppose, that his views on commercial questions were more enlightened than those of the other statesmen of the time. Burke alone had recognized the

* "Mémoires de Morellet," i. ix. See note at the end of the chapter.

† "Mémoires de Morellet," i. xiv.

hollowness of the colonial system and of protective tariffs, but partly from his ingrained dislike to change, partly owing to his surroundings, he lacked the courage to put his principles into practice. The Old Whigs were more deeply pledged than any other school of politicians to the existing tariffs. Hatred of France, the nearest neighbour of England, was the corner stone of their foreign policy, and commercial intercourse with that country had been uniformly discouraged by them. The great triumph of their diplomacy was the Methuen treaty of 1703, which condemned the English consumer to imbibe dear Portuguese port instead of cheap French claret. The solitary triumph of Whig party politics in the last year of Queen Anne had been the defeat of the 8th and 9th Clauses of the Treaty of Utrecht, which provided that all laws made in Great Britain since 1664 for prohibiting the importation of any goods coming from France should be repealed, and that a "most favoured nation clause" should be granted to that country by Act of Parliament. The influence of Chatham was uniformly hostile to any change in a liberal direction, and he disliked Burke not only as the author of "Thoughts on the present Discontents," but as the holder of suspected opinions on commercial questions. Such were the opinions of the leading English statesmen when Shelburne became a convert to the new school of Political

Economy. Whatever else might be the result, he was certain not to gain any additional good-will thereby from the Rockingham Whigs.

Amongst the visitors whom Morellet met at Bowood was Dr. Price. The statesman who, judging from the Diary of Lady Shelburne, so frequently spent his evenings in theological reading, was not unnaturally attracted by the author of the Dissertations on "Providence," on "the Junction of Virtuous Men in a Future State" and on "Miracles." Through the recommendation of their mutual friend Mrs. Montagu, a meeting had taken place between them in 1769, when Shelburne professed a warm regard to the Dissenters as friends of liberty, and promised if ever he came into power, to exert himself in supporting their rights, and placing them on the same footing with other Protestant subjects. The acquaintance then formed never knew any interruption.* It was not however till after the death of Lady Shelburne that Dr. Price became a regular habitué of Shelburne House and Bowood. He was then forty-eight years of age, having been born in 1723 at Tynton in Glamorganshire, where his father had been minister of a congregation of Protestant Dissenters, originally formed by one of the clergymen ejected after the passing of the Act of Uniformity of Charles II., and he was himself the minister of the Dissenting con-

* Rutt's "Life of Priestley," vol. i. 175.

gregations of Newington Green, and Poor Jewry Lane. It was not however till his fame as an author was established, that Dr. Price obtained any celebrity as a preacher, nature having denied him most of the physical qualities necessary to success in the pulpit. In 1758 he published a "Controversial Treatise on the Foundation of Morals," the courtesy of the tone of which so attracted Hume, that he at once sought the acquaintance of the author. In 1767 the three Dissertations already mentioned appeared. In the last of these he applied the words, "poor sophistry" to the arguments of Hume against the credibility of miracles, but immediately after, regretting the use of the expression, wrote to the philosopher promising to withdraw it in the next edition. Hume wrote a courteous reply and expressed "his wonder at such scrupulousness on the part of a clergyman."*

Hitherto the publications of Dr. Price had been almost entirely of a theological or metaphysical character. A deep religious feeling almost amounting to morbid sentiment, long led him to look upon all other forms of literary activity as so many

* The above details are gathered from Memoirs of Dr. Price, by William Morgan. The statement there made that Lord Shelburne first sought the acquaintance of Dr. Price to obtain spiritual consolation after the death of his wife, may be disproved by reference to the dates of the two events. Lady Shelburne died in 1771; the first interview with Dr. Price was in 1769.

temptations which it was his duty to guard against, and it was only gradually that, emancipating himself from his prejudices, he entered on those inquiries on which his reputation depends. The "Treatise on Reversionary Payments" was published in 1769. It contained the solution of many questions in the Doctrine of Annuities, with practical suggestions for the establishment of Insurance Offices on correct principles, and an exposure of the unsafe character of the benefit societies which were being continually formed in London and elsewhere. The alarm of the policy holders of the existing offices was only equalled by the indignation of the directors, but the success of the work was enormous.

The treatise on Reversionary Payments had contained an essay on Public Credit and the National Debt, criticising the manner in which the debt had been contracted and the alienation of the Sinking Fund. In 1772 this essay was enlarged into a treatise entitled "An Appeal to the Public on the National Debt," giving a detailed account of the management of the Sinking Fund from 1716, when it was first established by Sir Robert Walpole, to 1733, when it was finally abandoned, and advocating the renewal of it, by means of the annual appropriation of a fixed sum and of the compound interest on all stock redeemed by that sum, to the reduction of the liabilities of the country. This system was

to be followed in time of war as well as of peace, and—the weak point of the whole plan—the fund when necessary was to be supported by loans. Dr. Price at the same time gave the amount of the debt as it then existed—it was upwards of 140,000,000*l.*—compared with what the amount would have been, had the operations of the original Sinking Fund been steadily maintained. For one antagonist excited by the "Treatise on Reversionary Payments," twenty were aroused by the "Appeal on the National Debt." The scheme was denounced, not only as visionary and impracticable, but even as seditious, and the controversy was still raging with unabated fury when Morellet met Price at Bowood.

Amongst the most intimate friends of Dr. Price was Dr. Priestley, then in charge of the Unitarian Congregation at Mill Hill Chapel, Leeds.* Already whilst in Italy, Shelburne had become anxious for his acquaintance, owing to the high renown which his scientific researches had acquired abroad, while as yet but little known in his native land.† One of the first results accordingly of the connection of Shelburne with Price was an invitation to Priestley to accept the office of Librarian at Bowood. The

* Rutt's "Life of Priestley," i. p. 86.

† Rutt's "Life of Priestley," i. p. 197, Note.—In 1767 Priestley had published "The History and Present State of Electricity," and

following letters addressed to Dr. Price trace the progress of the negotiation: —

"Leeds, July 21st, 1772.

"I think myself exceedingly honoured by the very favourable opinion which Lord Shelburne's proposal implies that he has entertained of me, as both from your account and that of others I conceive him to be, for ability and integrity together, the very first character in this kingdom. But I really think it would not be in my power to render his lordship any services equivalent to the recompense which, in prudence, I ought to expect, if ever I leave Leeds; and I could not satisfy myself with receiving a salary without rendering what should appear to myself an equivalent service.

"My salary exceeds that of most Dissenting ministers, and I may say that the whole of my time is at my own disposal, so that I can pursue what studies I please, without interruption. Indeed, my place is such, that, according to present appearances,

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shortly after his "History and Present State of Discoveries relating to Vision, Light, and Colour." At the time of his agreement with Lord Shelburne he was already engaged in his inquiries into the nature of air. His first publication on the subject was a pamphlet on "Impregnating Water with fixed Air," 1772. The same year he communicated to the Royal Society his observations on different kinds of air. The Royal Society had elected him a member in 1766, and awarded the Copley medal to him in 1773.

the only motive I can ever have to remove is, that agreeable as my situation is with respect to myself, it affords me no prospect for making any provision for a growing family. I have thought that if ever I do remove, it must be to America, where it will be more easy to dispose of my children to their advantage.

"I flatter myself indeed, that I might render his Lordship some service with respect to the education of his children, as that is a subject to which I have given very particular attention, and with respect to which I have had a good deal of experience; but everything of this nature I consider as superseded by the tutor his Lordship will choose for them; and whoever he be, it is not probable that he will submit to be directed by another.

"It is true, that my reading and studies have had as great a range as, I believe those of most people; but I imagine that the information which his Lordship might occasionally want, would relate chiefly to things of a *political* nature, which I have not particularly studied, and require more acquaintance with modern history than I can pretend to.

"But supposing, that, by changing the course of my studies, I could become whatever his Lordship wishes me to be, I am so habituated to domestic life, and am so happy at home, that it is not possible I should receive any compensation for not living

in my own family. Or, if it could be compatible with his Lordship's views to compromise this article with me, his living partly in London and partly in the country would make it impossible for me to take any advantage of officiating as a Dissenting Minister, if any society in London should make choice of me, which however I do not think very probable; nor do I see from what other source I could benefit myself, except perhaps from reading lectures, either in Natural Philosophy, or the subjects on which I used to give lectures at Warrington.

"Please to represent to Lord Shelburne my sentiments on the general view of his Lordship's proposal. If he should think that the obstacles I have mentioned, may be removed in a manner consistent with his own views, he shall find me very ingenuous and explicit on the subject."

"Leeds, August 11th, 1772.*

"I still continue inclined to accept of Lord Shelburne's proposal, notwithstanding I have heard more said against it than I have yet communicated to you; and I cannot help thinking that it will put me more in the way of being useful both to my family and the world, than I can be in my present situation. This I observe, that those who are

* This seems to be the correct date of the above letter rather than November 11th, as given in Rutt's "Life of Priestley."

acquainted with Lord Shelburne encourage me to accept of his proposal; but most of those who know the world in general, but not Lord Shelburne in particular, dissuade me from it. All of them also greatly overrate my present situation, of which myself only can be a judge, and by comparison with which I must estimate any other situation."

"Leeds, August 25th, 1772.

"On Saturday last Lord Shelburne, as you gave me reason to expect, called upon me, and he explained and enforced his proposal in such a manner that I own I am much disposed to comply with it. He said he never thought of settling upon me less than 200*l.* per annum for life, and would do as much more as you and myself should think reasonable. So we agreed upon the sum mentioned in your letter, 250*l.* Besides, I am to have a house adjoining to his own in town, and another very near his seat in the country. If however we should like the situation in the country, it is probable we shall keep to it, myself only attending his Lordship when he shall require my attendance in London. He gives me what time I think proper to consider of his proposals, and also to leave my present situation, after I have determined to do it.

"I think however it will answer no good end, either to keep his Lordship in suspense, or to stay

long here after I am determined to go. So that according to all appearances I shall launch into a new sphere of life about Christmas next."

The terms finally agreed upon were, that Priestley should receive 250*l.* per annum, a house to live in, and a certainty for life in case of the decease of Shelburne, or of their separation during his life. On May 16th, 1772, he preached his farewell sermon at Mill Hill Chapel, and in June was established at Calne.* "In this situation" he writes in his Memoirs, "I continued seven years, spending the summer with my family at Calne, and a great part of the winter in his Lordship's house in London. My office was nominally that of librarian, but I had little employment as such, besides arranging his books, taking a catalogue of them, and of his Manuscripts, which were numerous, and making an index to his collection of private papers. In fact I was with him as a friend."†

The condition of the Opposition remained unchanged when Shelburne returned from France. "It gives me great concern," he wrote in reply to Chatham, "to find the general account confirmed by your Lordship. It does no honour to the principal persons concerned, whose views may be supposed to have contributed to the present reduced state of

* Rutt's "Life of Priestley" vol. i. p. 87, 189.

‡ Rutt's "Life of Priestley, vol. i. p. 197.

things, and must exclude all hope for the public. I feel it the more, because I had hoped that from the success already experienced by the efforts of opposition when joined to those of the public, great and substantial improvements might still be obtained from year to year to the constitution, the field being large; but a secret influence appears to have crept into Opposition, too much resembling in its motives and its means, that so much complained of at St. James'; for nature in these days seems to delight in creating everything double."*

The King's friends, on the contrary, continued to grow in strength and prestige. They soon had an opportunity of showing their strength on the congenial field of ecclesiastical politics.

The schism of the non-jurors, the sloth and ignorance of the clergy, the persecuting spirit they had shown in the last years of Queen Anne, the controversies within the Church itself, the increase of scepticism in the upper, and the spread of dissent in the middle classes, all had combined to weaken the position of the Church in the first half of the eighteenth century. Men of ability for the most part refused to take orders, and the closed doors of Convocation were the outward and visible sign of how different the condition of affairs was become from what it was in the days when theology and

* Shelburne to Chatham, January 12th, 1772.

moral philosophy were identified, and secular were subordinated to ecclesiastical interests. In the weakened condition of the Church the Nonconformists saw their opportunity.

Two schools of thought are generally to be found among those who hold liberal opinions on religious questions. On the one side are those who would make the formulas of the Church as few and as simple as possible, in order to render comprehension easy. On the other are those who believe the essential idea of Churchmanship to consist in the acceptance of distinctive doctrines, and recognize that all formulas however comprehensive, must nevertheless exclude many. The former wish to see the bounds of Churchmanship and of nationality as nearly as possible conterminous; the latter desire to leave religious questions to settle themselves, and to remove every civil inequality attaching to religious opinions. In England both schools had long existed. The Hampton Court and Savoy Conferences, and the various plans broached at the Revolution, marked so many stages in a long struggle for Church comprehension. But in proportion as the hopeless character of these attempts was recognized, so did the advocates of religious equality before the law gain ground. The Toleration Act was a new departure, limited as was the amount of religious liberty it conferred. The idea nevertheless of a Latitudinarian Church still

had many supporters, and the liberal clergy, from a natural wish to increase the importance of their own order, were generally disposed to favour it. The liberal laity on the other hand, from an equally natural fear that a comprehensive Church would prove too strong for the State, generally viewed it with disfavour.

By the Toleration Act, Protestant Nonconformists taking the Oath of Allegiance and subscribing the Declaration against Popery, and such ministers of separate congregations as should subscribe the Articles of the Church relating to matters of faith only, as distinct from those relating to church discipline and government, were exempted from the penalties attaching to attendance at separate conventicles. The brief Tory interlude at the close of the reign of Queen Anne was marked by several steps taken in a retrogade direction; but Stanhope, in 1719, had the glory of restoring Toleration to the point which it had reached at the Revolution, and of making the first unsuccessful attempt at repealing the Test Act. As years went on, the subscription to the Articles of Faith was gradually dispensed with in practice, and was only required of those who wished to avail themselves of the bounty money offered to all subscribing Ministers by Sir Robert Walpole, but only accepted by a few, who were ever after looked upon as religious Pariahs by their brethren; by none more so

than by the Nonconformist family to which Dr. Price belonged.* It was finally laid down by no less a person than Mansfield that "Nonconformity with the Established Church is recognized by the law, and not an offence at which it connives,†" and that the affirmation of a Quaker could be received in lieu of an oath in an action to recover penalties.‡ It was in this position that the question of religious toleration stood in 1772, when both the party of comprehension and that of religious toleration took the field.

The celebrated Feathers Tavern petition embodied the complaints of the Latitudinarian clergy against the Articles of the Church, and of the laity against requiring subscription as a test on admission to University degrees in law and medicine. The two complaints admitted of separate consideration, but only the first seems to have been really discussed in the debate which arose in the House of Commons on the petition. Burke and Dowdeswell joined Norton in successfully opposing the motion for bringing it up, while Dunning, Townshend and Barré took an opposite course, and were joined by

* "Memoir of Price," by Morgan, p. 35.

† "Hallam," iii. 256.

‡ "Atcheson *v.* Everett," and "Chamberlain of the City of London *v.* Allen." See Campbell's "Lives of the Lord Chief Justices," ii. 512. The 7 & 8 William III. c. 34 made Quakers inadmissible as witnesses in civil proceedings.

Sir George Saville, who on this occasion, as on several others at the same period, separated himself from his friends of the Rockingham connection.*

Shelburne however and his friends took a far more lively interest in the extension of the Toleration Act than in the objects of the Feathers Tavern petition, and it was this interest, joined to his connection with Dr. Price on the one hand and Chatham on the other, which encouraged the Nonconformists at this moment to apply to the latter through him to help them in their projected attempt at the abolition of subscription to the Articles of Faith.

"The immediate occasion of my troubling you" writes Shelburne to Chatham on March 18th, "is that Dr. Price, whose books I some time since sent you, has desired to know of me when you would be in town; it being the intention of the Presbyterian clergy to wait on you, to communicate their intention of applying to Parliament for relief in the matter of

* Lord Shelburne's brother, Mr. Fitzmaurice, was amongst those who opposed the petition. "Colonel Barré also," says Walpole, "was not present. His absence and Mr. Fitzmaurice's conduct showed Lord Shelburne was willing to make his peace at Court." ("Walpole Journals," i. 10.) A reference to the Division Lists of the House of Commons shows that Barré was present and voted, while the speech of Mr. Fitzmaurice was only devoted to maintaining the reasonable position, that it is almost impossible for a church to exist without formulas of some kind, and that these formulas are sure to exclude a certain number of conscientious persons.

subscription. This matter has been in agitation some time since, but it was their intention to have deferred it till the next Session, if some of their brethren who receive the royal bounty money had not thought it their duty to acquaint the Treasury of it.

"Mr. Onslow upon this sent to desire that he might have the honour of bringing in their Bill, and to acquaint them of the concurrence of Lord North, Lord Mansfield, and a warm support from Elliot, Dyson, &c. The Bishops, however, have since been consulted, who have offered some objections; and to obviate them, the Dissenters have offered to sign a subscription, declaring the Scriptures of the Old and New Testament to contain the mind and will of God, and a rule of faith and practice. This goes beyond the opinion of several of their body, who wished to have stood on Mr. Locke's general principles of toleration; at the same time that the Bishops have not given any answer to it. They are however determined to bring in their Bill, and are likely to meet with support from many of all sides, at least in the House of Commons."*

It was a long time before Shelburne could ascertain what course the Ministry intended to pursue.† Ultimately the reactionary influences which

* Shelburne to Chatham, March 18th, 1772.

† Shelburne to Chatham, April 13th, 1772.

surrounded the King carried the day, and it was resolved to throw out the Bill by a large majority in the House of Lords, after allowing it to pass the House of Commons practically unopposed. The more liberal tendencies of many of the Government supporters were to be satisfied by the latter concession. Shelburne strongly urged Chatham to leave his retirement for the debate, and was on this occasion successful. "I am very glad to find," he writes to him, "that your Lordship's health will admit of your coming to town on the second reading of the Bill. This makes me trouble you with the enclosed sketch of a protest drawn by Dr. Price; a measure which I find would give their body great satisfaction and countenance, provided your Lordship approves of it. It has been communicated to no person living. Though I must do justice to the Duke of Richmond's present facility of disposition, yet I suppose it doubtful how far he and Mr. Burke will approve any thing that does not come from the same quarter. I beg to submit this and every other consideration to your Lordship's judgment and decision.

"I had accidentally some conversation with Lord Gower at the Opera, who made no secret of the intentions of Government, in the House of Lords, to oppose the Bill, and support the Bishops. I observed he also spoke without much scruple of

Lord North, on a separate line from Government. It is given out, that the King has declared himself much against the Bill. Lord Mansfield persists in concealing his own opinion, till he comes to the House." *

The information thus conveyed by Shelburne to Chatham proved correct. When the second reading of the Bill was taken, every Bishop and Archbishop was in his place to reject it. Amongst those who proved how thoroughly the episcopal order had repented of whatever share they might be considered to have had in the liberal work of the Revolution, was Bishop Lowth of Oxford. "He took up the question," says Walpole, "in a spirit of revenge," and declared he would vote against the Bill because the Dissenters would not receive Bishops in America. Shelburne rose, and in reply informed the House "that he was Secretary of State when Archbishop Secker had struggled for an American Bishop, and that both Archbishop Secker and Archbishop Drummond had had an interview with him, and that at that interview it was he who had urged how unwelcome a Bishop would be to the Dissenters, and they who had both assured him that the Dissenters did not object to it: Archbishop Drummond was still alive and in the House, and could deny the fact if it was

* Shelburne to Chatham, March 18th, 1772.

otherwise." This Drummond could not do. It would seem as if the Bishops had determined to justify the charges against them of "want of candour, and of scandalous love of power" with which Richmond opened and Chatham closed the discussion.* The Bill was rejected by 102 to 29, and a like fate awaited the measure in the following year.†

* "Walpole Journals," i. 94, 95.

† In vol. xviii. 442, of the Parliamentary History, will be found the speech which Dr. Newton, Bishop of Bristol, "intended to have made." The first sentence is "The Act of Toleration was one of the first fruits of the glorious Revolution." The last sentence is, "God forbid, my lords, that this House should ever, contrary to so many Acts of Parliament, contrary to the whole tenour of the Gospel, give their sanction and authority to men who not privately, as the Apostle says, but publicly, bring in damnable heresies."

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NOTE.

The visit of the Abbé Morellet to Bowood in 1772*; extracted from "Les Mémoires de l'Abbé Morellet,"* vol. i. ch. ix.

"En arrivant à Londres je trouvai Lord Shelburne absent, mais il avait laissé des ordres pour me recevoir; même il avait fait plus, et ayant prévenu de mon arrivée son frère Fitzmaurice, alors membre de la Chambre des Communes, celui-ci, en attendant le retour de milord, me mena à Wycombe, terre située à sept à huit lieues de Londres, et titre de la première pairie du Lord Shelburne, qui est aujourd'hui sur la tête de son fils. Il emmenait aussi le colonel Barré, le docteur Hawkesworth, rédacteur du premier Voyage de Banks autour du monde, et Garrick et Franklin, deux hommes qu'il suffit de nommer.

"Nous passâmes cinq ou six jours à Wycombe, et, comme on voit, en assez bonne compagnie.

"J'entendais fort difficilement l'anglais parlé; mais tous parlaient un peu de français, et me montraient une grande indulgence. Ils m'entendaient très-bien eux-mêmes, parce que j'avais alors une prononciation nette et distincte, une voix forte, et une déclamation naturelle et vraie, qui servait à déterminer le sens des mots et celui des phrases, ce que Garrick sentait parfaitement, et ce qui l'aidait à m'entendre, comme il me l'a dit plus d'une fois.

"Le temps, comme on peut le croire, se passa fort agréablement pour moi, dans la société de ces hommes que je me suis toujours félicité depuis d'avoir connu, et dont je dirai ici quelque chose en commençant, comme de raison, par le plus célèbre.

"Franklin, qui déjà montrait à l'Angleterre le politique et l'homme d'Etat qu'elle eut bientôt à craindre, était alors beaucoup plus connu en Europe par sa grande découverte de l'identité du feu électrique avec celui du tonnerre, et par sa belle théorie de l'électricité; mais l'économie publique et les matières du gouvernement m'occupaient plus moi-même que la physique, et la conversa-

tion se reportait naturellement sur ces objets. Nous discutâmes beaucoup la question générale de la liberté du commerce, et les deux grandes questions qui dépendent de celle-là, la liberté du commerce de l'Inde, et la liberté du commerce des grains. J'eus la satisfaction de le voir goûter entièrement tous les principes que j'avais établis dans mes mémoires contre la Compagnie, et dans la *Réfutation des Dialogues;* et il me sembla même que je dissipais quelques doutes restés dans son esprit.

"Les idées sur la population en général, et sur celle de l'Amérique en particulier, sur les rapports des colonies avec les métropoles, sur les progrès de l'Amérique alors anglaise, et sur ceux qu'on devait prévoir, eurent leur tour dans nos entretiens. Nous parlâmes aussi musique, car il l'aimait, et physique et morale, mais en peu de mots et à des intervalles assez longs; car jamais personne ne pratiqua mieux la maxime de La Fontaine:

"'Le sage est ménager du temps et des paroles.'

Je lui vis faire là l'expérience de calmer les flots avec de l'huile, qu'on avait regardée comme une fable dans Aristote et Pline. Il est vrai que ce n'étaient pas les flots de la mer, mais ceux d'une petite rivière qui coulait dans le parc de Wycombe. Elle était agitée par un vent assez frais. Il remonta à deux cents pas de l'endroit où nous étions; et, faisant quelques simagrées magiques, il secoua par trois fois sur la rivière un roseau qu'il avait dans la main. Un moment après, les petits flots s'affaiblirent par degrés, et la surface de l'eau devint unie comme une glace.

"Dans l'explication qu'il nous donna de ce phénomène, il nous dit que l'huile contenue dans son roseau se divisant prodigieusement aussitôt qu'elle était jetée, et rendant plus lisse la surface de l'eau, empêchait le vent d'avoir prise sur elle, et principalement sur la partie de la rivière qui en recevait la première impulsion, et que l'agitation des parties inférieures venant à se calmer d'elle-même, et n'étant pas renouvelée dans la partie d'au-dessus, ni communiquée plus bas, le calme se propageait partout. . . . .

"Mais l'homme dont je ne puis assez parler, assez me louer, et pour qui ma reconnaissance doit durer autant que ma vie, est le Lord Shelburne, à qui je dois cette noble hospitalité, dont je crois

qu'il serait difficile de trouver un autre exemple. J'ai déjà dit l'attention qu'il eut de me faire recevoir à mon arrivée par son frère et ses amis, et de me donner si bonne compagnie en attendant qu'il revînt.

" A son retour, il me mena chez tous ses amis, me fit voir tous les spectacles, tous les objets de curiosité que Londres renferme, le Panthéon, l'Opéra, le théâtre de Garrick, celui de Foote, alors très-suivi, la maison de la Reine qu'on voyait difficilement, la chambre des pairs et celle des communes, le muséum, l'exhibition de Cooke, etc.

" Outre les personnes que j'ai déjà nommées, il me fit connaître M. Hamilton, celui qui avait rapporté de Naples les vases étrusques, Banks et Solander, revenus de leur premier voyage et prêts à partir pour le second, le duc de Richmond, milord Sandwich, milord Mansfield. Nous allâmes ensemble dans la berge de milord Sandwich dîner sur le vaisseau de Banks, où le premier lord de l'amirauté fut reçu avec tous les honneurs par les voyageurs prêts à quitter l'Angleterre. Nous avions vu, quelques jours auparavant, Banks et Solander au milieu des raretés qu'ils avaient apportées de leur premier tour du monde. Enfin il ne me laissa pas le temps de désirer, pour me faire voir tous les objets intéressans qui pouvaient mériter l'attention d'un étranger.

" Nous déjeunions tous les jours avec quelques-uns de ses amis, Barré, Priestley, le docteur Price, Franklin, les deux Townshend, l'alderman et le ministre, etc. Le dîner rassemblait encore une compagnie plus nombreuse, et, les femmes retirées, la conversation était bonne, variée, instructive.

" J'avais d'ailleurs, ce que je ne dois pas oublier, une parfaite et entière liberté. J'allais, je venais, je passais la matinée comme il me plaisait, ou chez moi, ou courant la ville, et le plus souvent chez les libraires ; me retirant et me couchant quand je voulais, servi à merveille, et comme il n'arrive qu'en Angleterre, sans savoir par qui et sans voir personne.

" Après six semaines de séjour à Londres, milord Shelburne me prit avec lui pour me faire voyager dans les comtés de l'Ouest, et me mener dans sa terre de Wiltshire. Nous fîmes d'abord une longue tournée avant d'arriver à Bowood Park, sa maison. Nous

vîmes Blenheim, Windsor, Twickenham, la maison de Pope; Hagley, au Lord Lyttleton, etc.

"Revenus à Wycombe nous y eûmes la visite de Tucker, doyen de Gloucester, homme instruit, dont nous avons plusieurs ouvrages sur les matières du commerce et du gouvernement. Il était en relation avec M. Turgot, qui a traduit de lui un ouvrage intitulé: 'Questions sur la liberté du commerce du Levant.' Nous eûmes bientôt fait connaissance, et je lui promis d'aller le voir à Gloucester.

"En effet, je me séparai de milord pour lui laisser faire quelques courses; il devait aller, autant qu'il m'en souvient, chez le lord Chatham; il me donna rendez-vous à Bowood . . . . où je trouvai milord Shelburne établi avec sa famille, le colonel Barré, le colonel Clark, le docteur Priestley qui servait d'instituteur à ses enfans, et le ministre Townshend, dont le bénéfice, ou paroisse, était à quelques lieues de Bowood.

"Une grande et belle maison, un beau jardin, une riche bibliothèque, des voitures et des chevaux, quelques voisins de temps en temps et des courses chez eux, Bath à quinze milles de là, où nous allions nous divertir; c'était là de quoi passer le temps agréablement, et, si l'on y joint la conversation du maître et de ses hôtes, très-utilement. C'est là surtout que j'ai trouvé un excellent usage, celui d'être établi toute la journée dans une bibliothèque qui servait de salon, et qui fournissait continuellement ou des sujets à la conversation, ou des secours pour vérifier les points débattus.

"Pendant ce séjour et ce voyage, j'avais vu les manufactures du Wiltshire et du Gloucestershire, etc. J'avais recueilli, grâces à milord Shelburne, des échantillons de toutes les espèces de draps et d'étoffes de laine, de soie et de coton qui s'y fabriquent; différens mémoires sur ces objets d'industrie et de commerce; quelques modèles, non pas des machines, dont les Anglais sont jaloux à l'excès, modèles qu'on n'eût pu me donner, et que je n'eusse pu emporter avec sûreté; mais des dessins et autres objets non moins utiles, comme un dessin et une explication de la manière de mettre le foin en meule, de le couvrir avec un toit mobile qui descend à mesure que la meule se consume; un coutcau à couper le foin; les diverses mesures de continence et de longueur, et les

poids étalonnés ; de nombreux échantillons, etc., toutes choses que j'ai rapportées pour le gouvernement.

" Milord Shelburne, après être resté six semaines à Bowood, me proposa de m'emmener en Irlande avec lui. Je me défendis de ce voyage, qui m'aurait pris trop de temps. Il me dit alors qu'il m'emmènerait jusqu'en Yorkshire, en me faisant voir, chemin faisant, plusieurs de ses amis, de belles maisons de campagne, de beaux pays, et que d'York je pourrais facilement me rendre à Londres. C'était, comme on voit, me combler de bons procédés.

" Nous passâmes d'abord huit jours dans la maison d'un M. Parker, sur les bords de la mer, vis à vis de Mount Edgcumbe, de l'autre côté de la rade de Plymouth. Nous y faisions une excellente chère, surtout en poisson. Je vis le port et l'arsenal de Plymouth, ce qui n'est aisé pour un Français en aucun temps. Je vis aussi Mount Edgcumbe, maison et jardin dans une situation unique et vraiment romanesque.

" Entre autres plaisirs que j'y goûtai, je ne puis oublier une promenade sur la Tamar, rivière dont l'embouchure est dans le bassin de Plymouth et qui n'est navigable qu'à quelques milles avant d'arriver à l'Océan. Elle est fort encaissée, mais ses bords présentent des aspects sans nombre, tous plus agréables les uns que les autres ; tantôt des coteaux cultivés jusqu'à leur sommet, ou couronnés de bois ; tantôt des bords escarpés en rocs de granit et d'ardoise, du haut desquels pendent des arbres, dont les branches touchent la surface de l'eau ; des sinuosités douces, qui vous éloignent et vous rapprochent alternativement de quelque objet frappant ; des cabanes de pêcheurs ; de vertes prairies couvertes de bestiaux, etc.

" Après nous être rendus à Plymouth de la maison de M. Parker, qui en est à une demi-lieue, nous nous embarquâmes en quatre bateaux, deux pour la compagnie, un pour quelques domestiques et le dîner, un pour de la musique, formée de huit instruments à vent. Nous remontâmes la rivière jusqu'où elle cesse d'être navigable, c'est-à-dire, à huit ou dix milles de Plymouth. Là, nous vîmes la pêche du saumon, errans ou assis dans une prairie charmante, jouissant de toutes les sensations douces que peuvent donner l'agrément du site, la beauté du ciel, la fraîcheur des eaux. Nous

redescendîmes ensuite, et nous nous arrêtâmes, vers les trois heures, à un endroit de la côte dominant la rivière, sur un tapis de la plus belle verdure, ombragé de grands arbres et séparé par la rivière seule d'un coteau admirablement cultivé, et semé çà et là de jolies petites maisons. C'est là que nous dînâmes assis sur l'herbe avec des viandes froides, un pâté, force gâteaux et quelques fruits. Je ne dois pas oublier une circonstance imprévue, qui ajouta beaucoup à notre plaisir.

"Pendant que nous dînions, nous aperçûmes trois jeunes filles qui, se promenant dans la prairie voisine avec leur père et leur mère, s'étaient approchées de nous pour entendre notre musique, et nous regardaient au travers d'une haie qui nous séparait d'elles. Je me lève aussitôt, et je leur présente un panier de cerises. Je les prie en même temps de vouloir bien chanter *some scotish song*, dont, moi Français, j'étais *very fond*. Elles se regardent un moment; et dès que nous fûmes retournés à nos places, comme si notre plus grand éloignement les eût rassurées, elles se mettent à chanter tous les trois à l'unisson, avec des voix d'une extrême douceur: *The lass of Peatie's mill*. Sans doute le temps, le lieu, la singularité de la rencontre ajoutèrent quelques charmes à ce petit concert; mais tous mes Anglais furent émus, et me dirent que je leur avais procuré le plaisir le plus vif qu'ils eussent goûté dans toute cette belle journée.

"Au sortir de Plymouth, nous prîmes notre route d'abord par la côte du Sud, et nous vîmes Dartmouth, Tor-Bay, Sidmouth, Weymouth, l'île de Portland, Dorchester; et remontant au Nord, nous traversâmes Dorsetshire, Wiltshire, Gloucestershire, Derbyshire, Yorkshire, etc., voyant les maisons de campagne, les manufactures, et tous les objets qui peuvent attirer la curiosité. Je quittai milord à Leeds, à sept ou huit lieues de York, comblé de ses politesses et de ses bienfaits. Là, il prit sa route vers la côte, où il voulait s'embarquer; et de York, où je passai deux jours, je revins à Londres, d'où, après un séjour d'environ une semaine, je revins à Paris, vers la fin d'Octobre, après six mois de séjour en Angleterre."

CHAPTER VII.

BEFORE THE STORM.

1772-1774.

THE unanimity which had on the whole characterized the proceedings of the Opposition on the question of religious toleration, was unfortunately not the harbinger of any permanent improvement. This was soon seen. In October, 1771, the Duke of Cumberland married Lady Anne Luttrell, and in the beginning of 1772 the Duke of Gloucester acknowledged his previous marriage to the Dowager Countess of Waldegrave. The Royal Marriage Bill was thereupon introduced, the principal provision of which was that no member of the royal family less than twenty-five years of age should marry without the royal consent. To this proposal Shelburne in common with the great mass of the nation was strongly opposed.

"The King," he told Chatham, "has not a servant in the line of business in either House, except the

Chief Justice of the King's Bench can be called so, who will own the Bill, or who has refrained from every public insinuation against it, as much as can come from those who vote for it from considerations declared to be of another nature." *

The popular feeling expressed itself in the lines:

Quoth Dick to Tom, This Act appears
Absurd, as I'm alive:
To take the Crown at eighteen years,
The wife at twenty-five.
The mystery how shall we explain,
For sure as Dowdeswell said,
"Thus early if they're fit to reign,
They must be fit to wed?"
Quoth Tom to Dick, "Thou art a fool,
And little knowest of life:
Alas! 'tis easier far to rule
A kingdom than a wife."

But notwithstanding the wisdom of the utterance with which the above epigram credits the "dull" Dowdeswell,† and the harmony which reigned in the Upper House, where Shelburne and Rockingham had together warmly opposed the Bill, the Old Whigs refused to join the friends of Shelburne in the House of Commons in a direct vote against the Bill. "At half-past one in the morning the House divided, and by the jarring of the Opposition the Ministers carried it by 300 to 64 to go into

* Shelburne to Chatham, March 18th, 1772.

† "Dull" was the epithet habitually applied by Chatham to Dowdeswell.

Committee, most of the Rockinghams voting with the Ministry, Sir George Saville with the minority."*

The dissensions of the Opposition became still more marked when in the following year that old apple of discord, the affairs of the East India Company, was once more thrown down on the floor of Parliament. It has been seen that when at the close of 1767, the policy of Townshend and the Bedfords definitely prevailed over that of Shelburne, the dividend under the compromise then effected was limited to ten per cent., and the territorial revenue was left to the Company for two years, in consideration of an annual payment of 400,000*l.* With certain additions this arrangement was renewed in 1769 for a further term of five years. Immediately afterwards the old scandals with which the Directors had represented themselves as capable of dealing, broke out afresh. The servants of the Company in India were never at a loss how to extort money. They were as ingenious, according to Barré, as the Governor of Gibraltar, who refused to give audience to the Jews when they brought him 1000 shekels, on the ground that their ancestors were the men who had crucified Jesus Christ, and having frightened them by his refusal into coming back with 2000 shekels, admitted them, saying, "Poor men, they had no hand in the cruci-

* "Walpole Journals," i. 45, 47.

fixion!" * The rapacity of these men was destroying the very sources of wealth, while a malignant fate seemed to pursue even the halting and ill-directed efforts of the Directors to check the evil, the existence of which they could not deny. The ship in which Governor Vansittart, Mr. Scrafton, and Colonel Ford were sent out in 1769 as supervisors, was never heard of again. A great famine decimated Bengal in 1770. On the 1st January, 1771, the cash balances in the Treasury at Fort-William had sunk to 3,542,761 rupees. The bond debt was 612,628*l.*, and had increased to 1,039,478*l.* by 1st January, 1772. And yet it was difficult to excite attention to these facts. "The East India affairs" writes Shelburne to Chatham, "do not catch the active public, who discover neither indignation at the conduct of persons there, nor anxiety to secure that object, while every man of every party acknowledges a blow to be impending in that part of the world, which must shake to its foundation the revenue, commerce, and manufactures of this." †

Trading on the public inattention, the General Court, on the 26th September 1770, came to a resolution to profit by a clause in the Act of 1769, under which, if the revenue allowed of it, they might increase the dividend to 12½ per cent. Emboldened

* "Parliamentary History," xvii. Speech of Barré.

† Shelburne to Chatham, April 13th, 1772.

by impunity, they took a similar course in the two succeeding years. But vengeance was following close on their heels. On the 8th July the General Court found itself face to face with an estimated deficit of 1,293,000*l.* for the ensuing three months, at a period when, owing to several great commercial failures, the money market was already very tight, and on the 10th of August the Chairman had to apply to the Government for a loan of 1,000,000*l.* This was refused except on conditions. A Parliamentary inquiry followed.

The two Committees successively appointed to examine the question, did not report till the spring of 1773. It then appeared that the whole available property of the Company was reduced to 2,930,568*l.*, so that of their capital stock of 4,200,000*l.* 1,269,431*l.* was expended and gone.* Nor was this all.

"The crimes and frauds of the servants in India," wrote Shelburne to Chatham, "enormous as they appear in the Reports sent your Lordship, are not I believe yet fully stated. The Directors, occupied in domestic pursuits equally fraudulent, have produced the effect of accomplices throughout; while the proprietors, who, as the last resort, ought to be the purest to the objects of their charter, appear the most servile instruments of both, and to have their spirit

* See for the above facts and further details, "Mill's British India," book x., chap. ix.

directed by their several leaders, to answer nothing else than the different purposes of a ministerial market. Nor has there been found as yet, to speak impartially, anywhere in the House of Commons that firm, even, judicial spirit, capable of administering, much less of originating that justice which the case requires; and your Lordship will easily imagine the effect of scenes which daily arise there, from the activity and double dealing of the Court operating upon the situation and circumstances of individuals, in an interval when no avowed leader appears on either side, nor no one common object. In the meantime, the public judgment, as is often the case, goes to the right object, though on wrong reasoning. It is generally felt, that the affairs of India are mismanaged; but the reasons given why they are so, are that charter rights should be inviolable, and that it is the last degree of hardship not to leave men the disposal of their own money, and of the offices and emoluments arising from the distribution of it. While no one proprietor stands out to demand general justice, and the aid of Parliament at large for the safety or recovery of his property, but all act within the narrowest party limits, it is not surprising that the public should overlook the effect which any new system will have on the general commerce and government of the kingdom." *

* Shelburne to Chatham, June 12th, 1773.

On the 3rd of May the Government proposed a new scheme for the government and administration of India. The Company was to receive a loan of 1,400,000*l.* at 4 per cent., and the Government was to forego the annual payment of 400,000*l.* till that debt was paid; the dividend was not to exceed 6 per cent. during the same period, nor 7 per cent. till the bond debt was reduced to 1,500,000*l.*; the surplus receipts after the payment of 400,000*l.* to the Government, were to be divided in proportions of three-fourths to the Government, and one-fourth either to the reduction of the debt or to a guarantee fund. The territorial revenue was on these conditions left under the management of the Company for six years, the unexpired term of the charter. The Government of Bengal, to which the other Presidencies were subordinated, was to be vested in a Governor and Council, with salaries sufficiently large, as it was hoped, to place them beyond the temptations of corruption and fraud. A supreme Court of Judicature was to be established at Calcutta with an extended area of jurisdiction. The several high officers were forbidden to engage in trade, and the servants of the Company were forbidden to accept presents. All the affairs of the Company except those relating to trade were to be submitted to the Ministers; the first Governor-General and Council were to be nominated for five years by Parliament,

and afterwards by the Company with the approbation of the Crown; and the length of the tenure of the Directors and the qualification for a vote at the India House were both to be increased. On the motion of General Burgoyne the three following Resolutions were also carried:

1. That all acquisitions made under the influence of a military force or by Treaty with foreign Princes do of right belong to the State.

2. That to appropriate acquisitions so made to the private emolument of persons intrusted with any civil or military power of the State is illegal.

3. That very great sums of money, and other valuable property have been acquired in Bengal from Princes and others of that country, by persons entrusted with the military and civil powers of the State by means of such powers; which sums of money and valuable property have been appropriated to the private use of such persons.

Such were the main features of the new scheme for the government of India. To many parts of it Shelburne gravely objected.* In the first place the resolutions of General Burgoyne not having been followed up with any action against the offenders in India, it was, to say the least, problematical if they would have any effect. The increase of the qualification for a vote at the India House was intended to check the confusion which prevailed at the elections, but it was not clear to him that the increased

* See Chatham to Shelburne, June 17th, 1773. Shelburne to Chatham, June 26th, 1773. Speeches of Barré. "Parliamentary History," vol. xvii.

value given to a vote by the scheme would not introduce the worse evil of cabal and corruption. The new judges were to be appointed during pleasure. Shelburne wished their tenure to be the same as that of the judges in England. The inland trade in his opinion ought also to have been thrown open, and the commercial monopoly of the Company abolished. There was also much to be said on the subject of the control—qualified as it was—which the Bill gave to the Government over the patronage of the Company.* He felt, as strongly as Burke, that it had an undeniable tendency to increase the chief political danger of the time, the influence of the Crown over the House of Commons. On the other hand the Bill, by placing the nomination of the Governor-General and Council under the control of Parliament, violated the principle which places the nomination of all officers in the Crown, while committing the check upon improper nomination to Parliament. Shelburne accordingly would himself have preferred to leave the Company as receivers, liable to account for the territorial revenue to the State, and having first set their general administration in order, by means of a commission sent out to India with full powers to reach all guilty parties, would have left them to exercise their own

* By the clauses which gave the Government a general control in all matters not relating to trade.

patronage, entirely uncontrolled. Recognizing, however, in the Bill a genuine attempt at settling a difficult question, which admitted of no delay, and not seeing from what quarter any better proposals were to be expected with any chance of passing into law, he refused to join the Opposition which the Old Whigs, raising the cry of "the violation of charters," offered to the measure in both Houses of Parliament.

He soon found "that the only contest was between the Ministry and the friends of Lord Rockingham, who should be most active in protecting the guilty Directors and their servants; while the latter seemed determined to find no fault with any Ministry except that of 1767."* Burke made himself the especial champion of the Company. In strange contrast with his subsequent conduct on the trial of Warren Hastings, he declared that retribution would be the height of folly,† and demanded a general amnesty, from which apparently the Ministry of 1767 alone was to be excepted. Entirely unprovoked, and with the bad taste which so often disfigured his greatest oratorical efforts, he made a diatribe against Beckford, then no more, the vehicle of an attack on Shelburne and Chatham for what had

* Shelburne to Chatham, February 27th, 1773.

† See especially the two speeches at p. 461 and 818, vol. xvii., "Parliamentary History."

been done at the end of that year. The responsibility of the measures then pursued he attempted to fasten on them, though it was well known that Shelburne's colonial policy had been forced to yield to that of Townshend and the Bedfords, and not the reverse, the assumption necessary to Burke's argument. This was well stated in reply by Barré, whose intimate knowledge of Indian affairs had, in 1765, made him in public estimation the rival of Clive for the Governorship of Bengal, and had twice recently brought him offers of Indian appointments, which he had as often refused.* The House when he rose was at once silent to hear him. He said with a smile, that "his ingenious friend"† had been so rapid in his flight, that it was scarcely possible for a common observer to follow him. He then entered into a justification of the treaty intended to have been made in 1767 with the East India Company by Shelburne, and stated the wisdom and comprehensiveness of the measures then projected, and their probable consequences had they been given fair play. It was true that Mr. Burke had often given his friends a good basting for those negotiations, but he was conscious they did not deserve it. He contended that their failure was owing not as Burke had said to a general sense

* See vol. i. p. 318, Shelburne to Chatham, April 13th, 1772; June 12th, 1773.

† Burke.

of the injustice and inexpediency of the territorial revenue being assumed to itself by the State, but to the factious conduct of some of "the honestest men" of the kingdom who had just left Administration, as much as by the open opposition of their enemies, and to the interior intrigues of the Court of Directors. He then went on to state the difference between the measures pursued at the end and at the beginning of 1767; the vexatiousness and inconsequential oppression of the last as meriting censure if not impeachment, as did the subsequent neglect of India; the sense of impending ruin had alone called attention of the Government to the subject; but their interposition though late was commendable; the reports of the Committee had merit if well followed up; suspicions of malversation were abroad, and arose from publications in the hands of every one; the eyes of Parliament must not be shut to delinquents on the one hand nor to extraordinary merits on the other; both should be weighed and justice should strike the balance; public examples were requisite to check the spirit of extortion and inhumanity prevailing in Bengal; if it was intended to take the revenue and patronage into the hands of the Crown and Houses of Parliament, a stand would have to be made against a step so highly dangerous to the constitution; the finger of Government to direct, aid, and control upon extraordinary occasions

might be useful, but the strong hand of Government would ruin all; on the other hand the total loss of Bengal was not to be risked from views of hostility to Administration, whatever the conduct of men in 1767 might deserve. "Opposition is dead," he went on to say—here he folded his arms and inclined his head—"Opposition is dead, and I am left chief mourner over her bier; but let not this, I conjure you, be a motive for your grasping at more power; have no cousins, no younger brothers, no servile dependents to quarter upon the Company. Seek not power in your researches, aim not at the distribution of offices; you have already enough at your disposal; permit me to say that you have too much to answer any good purpose. By these means you carry all before you. We only come here to know the hour when you order your carriages to be ready." He concluded by urging the absolute necessity of settling the question that session, as the condition of India would not admit of further delay.*

With similar feelings Shelburne approached the discussion of the subject in the Upper House.

"After a very short debate on the first clause" he writes to Chatham,† "regarding the duration

* The speech of Barré given above is partly from the account contained in a letter from Shelburne to Chatham of March 30th, 1773, partly from the Report in the "Parliamentary History," xvii. 825.

† Shelburne to Chatham, June 26th, 1773.

of the Direction, I divided for it without speaking. It was my intention to act in exactly the same manner, upon the same motives, when the qualification clause came on, though Lord Talbot as well as the Duke of Richmond made a slight opposition to it; but Lord Denbigh obliged me to change my plan of silence. In defending it, he chose (with Lord Bute's proxy) to declare, that he was for raising the qualification of all the electors of England. I was thus necessitated to declare my abhorrence of such an alarming plan of policy and such injustice, and to state the true grounds upon which I conceived Parliament could alone proceed in such cases, as guardians of charters, whose objects must ever be held sacred; which in the borough of Shoreham was an honest election of representatives, in the case of the India Company an honest administration of the exclusive trade. This led me to state shortly my opinion of the situation of the Company, arising from the misconduct of servants, directors, and acting proprietors; the necessity for the interference of Parliament, in behalf both of the honest proprietors as well as the public. The Duke of Richmond chose to reply, that the Company are in a very good state; which required as little the interference of Parliament, as their conduct did its censure, and made

some apologies for the part I took. This began an altercation between his Grace and me, which lasted almost the whole of that and the two following days. He gave me repeated opportunities of stating my own conduct; my endeavours, in and out of the House, to promote a real inquiry in 1767; my reasons for the Restraining Bill then passed to save the prize from plunder, &c. The Duke of Grafton afterwards told me, in conversation, that he could witness what I had said as to myself, and that I could do him justice as to what his wishes were.

"When we came to the clause which contained the new appointments, the House suffered me to go into a very large discussion of it. To prevent misrepresentation, as well as because all that passed in the House of Commons had left no very distinct impression, I stated three modes of proceeding, which were all that occurred to me as possible:— first, to take the whole into the hands of Government; which could not be, as it would certainly be subversive of the charter, as well as of very questionable policy; secondly, to leave it entirely in the hands of the Company, making them as responsible as possible; and, thirdly, to send out a Commission to report to parliament as to men and things; which I proposed, as appearing to me far more eligible than the present appointments,

which partook of the inconveniences of all three, without any of the advantages.

"It is in vain to attempt communicating to your Lordship all that passed; but I concluded the last day by giving my vote for the Bill, very much upon the general reasoning of your Lordship's letter, which I was honoured with afterwards; stating, besides the defects I have mentioned, one general defect in the principle of the Bill, that of not distinguishing between the trade and revenue; which was practicable, because they are in their nature separate, and certainly were so in the Mogul Government. The Duke of Richmond and Lord Rockingham would fain have made it out that I meant the patronage a boon to the Crown, but I flatter myself that I left that matter as your Lordship would approve.

"I do not recollect much more that is material to trouble your Lordship with at present. There are, however, two passages your Lordship should know. I took occasion upon the judges' clause to press their being appointed for life, and expressed my wishes that the same policy might be extended to America. The subject of America being renewed the last day, Lord Dartmouth, in terms of very great personal civility, declared his determination to support such a proposition for America, and, as I understood him, to place his existence in the

Ministry upon it. I told him afterwards, in conversation, that I would acquaint your Lordship of it, knowing that it would give you real pleasure. The other was a declaration of Lord Rockingham's, who avowed himself the protector of the India Company, *happen what will here or there*, to a renewal even of their charter, upon the same terms of exclusive right."

The speech of Shelburne contributed largely to the success of the Bill. "He never spoke better in his life," said Mr. William Lyttleton, who was present. "It was universally said that Lord Shelburne showed more knowledge of the affairs of India than all the Ministers in either House."* The anger of the Rockingham Whigs was great in proportion. The Duke of Richmond, who spoke nearly twenty times during the debate, finished by complimenting Shelburne ironically on the course he pursued, insinuating that he had acted from interested motives, "in order," as Walpole adds, "to forward his schemes of reconciliation with the Court, or else because he apprehended that Lord North's fall was at hand and a new scramble for places was about to take place."† What schemes of reconciliation Shelburne would possibly at this moment entertain it is difficult to determine,

* "Chatham Correspondence," vol. iv. 284. "Walpole Journals," i. 250.

† "Walpole Journals," i. 250.

for he had quite recently received a convincing proof of the royal displeasure.

In some military promotions Barré, who in 1766 had been restored to his rank, was passed over in so marked a manner that his resignation became no matter of choice.* The indignity thus offered him was, in the opinion of Shelburne, the result of the personal interposition of the King.† The Prime Minister indeed disapproved of the conduct of his royal master, but his own position was not at that moment sufficiently secure to make his opinion of much weight. George III. was said to be looking for a new Minister as pliable but even more reactionary. The object of his choice would in any case not have been the statesman who opposed the Declaratory Act, and supported the claims of the Nonconformists to Toleration.‡ The Ministry as a whole was secure. "There is no proposal," said Burke, "how destructive soever to the liberties of the kingdom which the Ministry can make, but what the people would readily comply with."§ Burke however did not sufficiently realize, that it was in no small degree owing to the quarrels of the Opposition, that this was the case, and that of these quarrels he was the

* Barré to Shelburne, January and February, 1773. "Chatham Correspondence," iv. 242–250.

† Shelburne to Chatham, February 27th, 1773.

‡ Shelburne to Chatham, February 18th, 1772.

§ "Parliamentary History," vol. xvii. 836.

principal cause. Chatham it is true by his retirement from political life, varied only by sudden appearances of which he sometimes did not even give his intimate friends notice, not unnaturally excited general apprehension as to what course he was at any moment likely to pursue, but Burke on the other hand was always present, and never weary of sowing suspicion, while expecting the unquestioning adherence of all the members of the Opposition to his proposals. He perpetually harps in his letters on "the treachery of our allies in opposition," * expresses indignation at the comparison of Chatham even in the vigour of his intellect to Rockingham,† gives "his clear opinion that no time or occasion can probably occur, in which in the way of consultation or communication it would be right to have anything to do with the Shelburne corps," ‡ and laments "the unsystematic conduct of many of his own friends," § when for example they refused to agree with him in such proposals as the following, viz.: "that as the House of Commons was more easily approachable by its feelings than by its reason, all the proprietors of Indian stock that can be got together should make a procession from the India House to Westminster, and should stand in all the avenues, and in the most

* Burke to Dowdeswell. October 27th, 1772.

† Burke to Rockingham, August 1st, 1767.

‡ Edmund Burke to Richard Burke, January 10th, 1773.

§ Burke to Dowdeswell, October 27th, 1772.

humble manner request the members not to take away the legal rights of their countrymen." *

"We have been too ready" the Duke of Richmond at length writes to him, "in taking up the cudgels for everybody the Ministers please to attack, and the consequence of our readiness has been, that people think we attack only for the sake of opposition, and to get ourselves into place." † Such was the lamentable result of the advice of Burke. Can much blame be attached to those who, not being like Richmond and Rockingham attached to the philosopher as a friend, refused, as Shelburne did, to accept him as a political guide?

The differences of opinion between the two sections of the Whig party increased yet further, when, towards the end of 1773, it became known that the Irish Parliament was likely to send over the heads of a Bill, imposing a tax of two shillings in the pound on the estates of absentee landowners, and that it was the intention of the Ministry to advise the King to let them pass the English Privy Council. Among the persons most affected by the proposed tax were the great Whig landowners, and as soon as the intention of the Irish Parliament became known, they began to bestir themselves.

* Memorandum by Mr. Burke, addressed to gentlemen forming the Opposition, 1773.

† Richmond to Burke, December 2nd, 1772.

At their instance Burke drew up a memorial to North, protesting against the English Privy Council letting the measure pass, should it be sent over,* and they asked Shelburne to join them in signing it. "When I wrote last," says the latter in writing to Chatham, "I mentioned nothing to your Lordship about Ireland, notwithstanding Lord Bessborough had written to me to Bowood, that he knew administration had determined, in case a Bill came from Ireland taxing the estates of non-residents, to pass it here. The measure appearing incredibly unjust and impolitic, I own I wrote his Lordship a very civil answer, without giving the smallest credit in my own mind to his intelligence. It turns out however very true; and now the fact is ascertained, I profess to your Lordship I am entirely lost in endeavouring to account for the motives or consequences of it. I naturally distrust my own judgment, where I am so deeply interested; and at any rate, I should be sorry to pay a greater regard to myself than becomes a liberal man, or may be likely to meet the public; who are not too apt to extend their feelings, even in cases of oppression, where the case does not exactly apply to the whole, or a majority of the whole." †

To the letter of the Whig Peers, North replied with an evasive answer. In 1767 a tax had been

* "Memoirs of Rockingham," ii. 227.

† Shelburne to Chatham, October 17th, 1773.

passed on the income of all places and pensions secured on the Irish revenue, but held by persons living out of Ireland, and it was difficult to draw any distinction in principle between this tax and that now proposed. But apart from this, any interference of the English Council would at once have raised that already much-vexed question, viz.: whether or no Money Bills were or were not an exception to the powers it exercised over Irish legislation.* "I could not" writes Chatham in reply to Shelburne, "as a Peer of England advise the King on principles of indirect accidental English policy, to reject a tax on absentees, sent over here as the genuine desire of the Commons of Ireland, acting in their proper and peculiar sphere, and exercising their inherent exclusive right, by raising supplies in the manner they judge best. This great principle of the constitution is so fundamental, and with me so sacred and indispensable, that it outweighs all other considerations." †

Shelburne accordingly refused to sign the memorial to North. "Lord Rockingham," he writes to Chatham, "has called here twice, and I have

* See vol. iii., ch. ii.

† Chatham to Shelburne, October 24th, 1773. For a totally different account of the above transaction, the reader is referred to "Walpole Journals," i. 266. It is perhaps needless to observe that in this account (which Walpole says was conveyed to him by Richmond, who had received it from Rockingham, who had been told it by Burke) the conduct of Shelburne appears in the darkest colours. See too Bentham x. 103.

called upon him as often upon this business. I took occasion the last time to tell him, to prevent the possibility of the least disappointment in my conduct, that I should certainly be very much governed by your Lordship's opinion, and whatever my first impressions might have been, should lend a willing mind to your reasoning on the subject, for very obvious reasons. I told him further in general terms, that I had reason to believe your Lordship's opinion to be, that Ireland was the proper place for opposition to the measure, and that here it became a very different question, whether to advise the Crown to reject the desire of the Irish Commons in matter of supplies. I desired it might be in confidence, as I was not accustomed to say more than what regarded myself, except when particularly desired. He expressed great surprise, apprehended that if any measure could produce general union, and draw a person from the country, it must be this, which from daily conversations and accounts, as well as from the nature of it, could not fail to interest and animate the whole kingdom. He concluded by supposing, that either my impetuosity or overwarmth, or some defect in the statement of the question, could alone have given such an inclination to your Lordship's judgment, and that upon a fuller statement and further consideration you might come to adopt a different judgment. I entered as lightly as

I could into this part; content to answer my own object, and desirous to commit your Lordship's opinion as little as possible without your particular desire." *

The memorial to the King having failed, the friends of Rockingham, true to their theory of the relation between England and her dependencies, whether Irish or American, determined to have recourse to the paramount authority claimed by the Parliament sitting at Westminster, over that sitting at Dublin. †

"I propose returning to London to-morrow evening" writes Shelburne to Chatham, "where I expect to find the same feebleness and uncertainty in the political world which for some time past has been the characteristic of it. Some of Lord Rockingham's friends alone are capable of thinking things advancing; and it is, I understand, his Lordship's and their intention to have a question offered to both Houses upon the Irish business. If I had the least influence, I should certainly deprecate such a measure, because I do not conceive that either Ireland or America can ever gain by the interposition of parliament here; and it can answer no good purpose to the public, or individuals, to call upon every acting man for a creed regarding Ireland. However, if it does come on, my opinion will naturally lead me to condemn the justice and the policy of such a tax as

* Shelburne to Chatham, October 31st, 1773.

† See vol ii., ch. ii.

was proposed, as inconsistent with any degree of connection, much more of dependence, of Ireland on Great Britain. I shall, at the same time, acknowledge the great principle of the constitution your Lordship dwells upon; that of the competency of the House of Commons to judge of all matters of supply, in every part of the King's dominions, and the inadvisedness of any interference, by the King or otherwise, with this their exclusive privilege, reserving the negative of the King, as well as the controlling power of the British parliament, to be exercised in matters of commercial regulation.

"I am particular in stating this, because I apprehend that I may be the only person in either House of Parliament who will go so far without descending to managements, which every day's observation confirms me in wishing to avoid. The Ministers, I understand, are come round to join with the most violent in condemning the policy, and I suppose will not be less ready to join them in upholding Poyning's Act, and all the old doctrine of the dependence of Ireland upon England, in all cases whatsoever. I shall therefore be very anxious to know how far the reservation I have stated meets your Lordship's idea, as I expect whatever debate occurs will turn upon that, or some other distinction which may be offered in favour of the supreme authority of the mother-country."*

* Shelburne to Chatham, January 8th, 1774.

If the opinion of Shelburne was clear on the injustice and impolicy of any interference on the part of the English House of Commons, the views of Chatham were not less distinct. "Allow me to say" he writes in reply to Shelburne, "that any question, resolution, proposition or declaration in parliament here, censuring, branding or forbidding in future, a tax laid in a Committee of Supply, upon Ireland, in the Irish House of Commons, appears to me to be fatal. Were my information less authentic, I should think it impossible that the axe could be so laid to the root of the most sacred fundamental right of the Commons by any friend of liberty. The justice or the policy of the tax on absentees is not the question; and on these, two endless arguments may be maintained *pro* and *con*: the simple question is, have the Commons of Ireland exceeded the powers lodged with them by the essential constitution of Parliament? I answer, they have not, and the interference of the British parliament would, in that case be unjust, and the measure destructive of all fair correspondence between England and Ireland for ever. Were it possible for me to attend the House of Lords, I would, to the utmost of my power, oppose any interference of parliament here upon this matter, and enter my protest upon the journals against it.

"Thus, my dear Lord, I have with abundant temerity sent your Lordship an insignificant,

solitary opinion: it is pure in the source, flowing from the old-fashioned Whig principles; and if defective in discernment, very replete with conviction."*

While the above exchange of ideas was passing, and preparations were being made for a great parliamentary struggle, news arrived that the proposed tax had been rejected in the Irish House of Commons by a majority of 20, notwithstanding the support of the Government. Most of the tenants who held leases had allowed clauses to be inserted in them stating that they should pay all new taxes, and they now threatened that if the absentee tax were held to come within the terms of their agreement, they would emigrate. Hence the tax had become generally unpopular, and perished ignominiously. "If they could but have obtained the absentee tax" writes Mr. Beauclerk to the Earl of Charlemont, "*the Irish* Parliament would have been perfect. They would have voted themselves out of Parliament, and lessened their estates one-half of their value. This is patriotism with a vengeance!"†

The struggles of the Whigs were now renewed on a different field. Shelburne feeling the injury which was being done to the popular cause in the

* Chatham to Shelburne, January 10th, 1774.

† Mr. Beauclerk to the Earl of Charlemont, 20th November, 1773.

City, by the want of character of Wilkes, had long resolved to oust him, if possible, from the position he had acquired. With this object he selected James Townshend, commonly known as Alderman Townshend, to be his instrument.

James Townshend was the son of Chauncey Townshend, for many years member for Wigan, and a devoted adherent of the Court. The politics however of his two sons, Joseph and James, were very different from those of their father. The former was the "honest Joe Townshend," rector of Pewsey in Wiltshire, with whom in after-years Bentham swore eternal friendship at Bowood, on the basis of their both having nearly been Methodists, of their both being actually Utilitarians, and of their both hating the Scotch.* James Townshend was member for West Looe, and a landowner in Hertfordshire. He is described as a man of great resolution and firmness. On one occasion it is said that a highway robbery having been committed in his neighbourhood, he disguised himself as a countryman,† set out in search of the offender, and much to the astonishment of the latter, overpowered and apprehended him. "He was a firm and steady friend," says one who knew him, "and so tenacious of his promise that he would leave the remotest part of the kingdom

* "Bentham," x. 92.

† "Walpole," iii. 284.

and the most delightful society, to attend and give his vote at the Guildhall, though for the meanest individual, and the lowest office. He was proud and tenacious of his dignity among the great, and of the most conciliatory affability with his inferiors. He would travel from one end of the kingdom to the other with a small change of linen behind his saddle." * With commerce he had no connection, but it was far more usual in the eighteenth century than at the present day, for comparative strangers to the City to stand for the highest municipal offices on purely political grounds. His friendship with Shelburne was of long standing, and for some time past he had lived at Shelburne House during the Parliamentary Session.† His chief fault was a violent temper. "Je respecte Townshend," the abbé Morellet wrote to Shelburne, "et je l'aimerais probablement pour peu que je vécusse avec lui, malgré sa grande chaleur, qui m'a paru quelquefois aller jusqu'à la brûlure, mais qui est peut-être celle qu'il faut avoir dans le pays que vous habitez." ‡

The struggle between Wilkes and Townshend began in 1770 on the question of the Durham Yard Embankment Bill, but soon extended to the whole management of the Whig party in the City. In the

* Beloe, Literary reminiscences.

† "Memoirs of the Marquis of Rockingham," ii. 95.

‡ Morellet to Shelburne, 1773.

ready tongue and pen of the celebrated John Horne, generally known as Parson Horne, Townshend found a valuable coadjutor. The notorious faults of Wilkes were now unsparingly exposed, but the majority of the Livery still clung to him, and outside the City he had the support of Rockingham and his friends, who had already discovered that "Wilkes was not a Wilkite."* On the other hand, the majority of the Court of Aldermen was on the side of Townshend. Three years in succession was the name of Wilkes sent up by the Livery as one of their two nominees to the post of Lord Mayor, and three times in succession did the Court of Aldermen reject it. In 1772 Townshend himself was elected.

Wilkes, who had fully expected a contrary result, was thunderstruck. His friends accused Alderman Oliver of having taken the vote of the Court before their party had arrived, and their rage broke out in every kind of outrage against Townshend and Shelburne, who, they said, had sold them to the King. A figure of Parson Horne was burnt in full canonicals outside the Mansion House. On the Lord Mayor's Day, Wilkes' mob attacked the Guildhall at night during the ball; Townshend, with characteristic energy, proposed to sally out with drawn swords, and was with difficulty restrained.

* The words used by Wilkes himself to the King at the time of the Lord George Gordon Riots in 1780.

The surprise at the result of the election was indeed general. "Eh bien, milord," the abbé Morellet had written only a short time before to Shelburne, "Wilkes va pourtant être Lord Mayor, au moins nous y comptons ici, c'est-à-dire nous autres philosophes et amis de la liberté; car vous pouvez compter que notre ministère payerait beaucoup pour l'empêcher. Un homme qui résiste à la volonté ou aux simples désirs du souverain est appelé ici séditieux, et les fauteurs du despotisme n'aiment pas qu'il y ait une sédition même au Congo. Au reste, il me semble que si notre ami Townshend était élu, le roi ne gagnerait pas beaucoup à ce marché. Ce serait toujours un séditieux." *

Among the partizans in the City contest, was Oliver Goldsmith, who put a paragraph into one of the newspapers in praise of Townshend. The same night he happened to sit next Lord Shelburne at Drury Lane; who being informed of the circumstance of the paragraph by Mr. Beauclerk, said to Goldsmith that he hoped he had mentioned nothing about Malagrida in it. "Do you know" answered Goldsmith "that I never could conceive the reason why they call you Malagrida, *for* Malagrida was a very good sort of man?" The blunder, as Dr. Johnson, who was fond of the anecdote, used to observe, was one of emphasis. What Goldsmith meant

* Morellet to Shelburne, 1772.

was "I wonder they should use Malagrida as a term of reproach;" but the blunder, to borrow the words of Walpole, was a picture of Goldsmith's whole life.*

The next move made by Wilkes was more successful. He succeeded in getting a remonstrance to the Court on the Middlesex Election drawn up in such violent terms, that he boasted that Townshend, if he presented it, would be undone, and stoned by the people if he refused; while he artfully invented a variety of reasons in order to excuse himself from attending the deputation which was to carry it to the palace.† The Attorney-General advised Townshend that the presentation of the remonstrance would be the publication of a libel; Glyn, the Recorder, gave a contrary opinion, adding that Townshend was obliged to present the remonstrance in virtue of his office.‡ Townshend accordingly had to submit to the hard necessities of the position in which the skill of his rival had placed him, for the language of the remonstrance was so outrageous, that popular opinion supported the King, in the contemptuous reception with which he greeted both the remonstrance and the deputation which accompanied it.

* "Boswell's Johnson," iv. 299, 54.

† "Walpole Journals," i. 189.

‡ "Walpole Journals," i. 189, and Glyn's opinion amongst the Lansdowne House MSS.

Successful however though Wilkes was in this episode of the struggle, he saw himself none the less losing ground day by day in the country, and his party gradually became more and more restricted to the City alone.* The violent scenes which had accompanied the election of Townshend were repeated in 1773, when the Court of Aldermen again rejected Wilkes, though only by the casting vote of Townshend himself, nor was it till 1774 that Wilkes obtained the object of his ambition.

While however this struggle was being carried on events had happened on the other side of the Atlantic, which threw the quarrels of the City factions, and the jealousies of the Whigs, into the comparative obscurity which they deserved.

* Lord Albemarle says that from the period of the above struggle "the Whigs and what are now called 'Radicals' became two distinct sections of the liberal party."—"Memoirs of Rockingham," ii. 209.

CHAPTER VIII.

THE BOSTON TEA SHIPS.

1774–1776.

Αὗται δὲ αἱ νέες ἀρχὴ κακῶν ἐγένοντο.

Herodotus, v. xcvii.

Ever since the riots at Boston on the 5th March 1770, an apparent lull had taken place in American affairs. The repeal of all the duties except that on tea, had left but narrow ground for the renewal of differences of opinion between the mother country and her colonies, and many of the latter began to withdraw from the non-importation agreements into which they had entered. It was the general impression in both countries that it only needed a little mutual generosity, and the repeal of the Tea Duty, to restore a permanent good understanding.

New England indeed stood firm; but even in New England there were many who wavered. Samuel Adams almost alone believed, not only that a rupture with England was inevitable, but also that the colonies were sufficiently strong to resist success-

fully, if united amongst themselves; and he was accordingly occupying himself in organizing corresponding Committees in all the principal towns, so as to be ready for any emergency. George III. stood in the same relation to the English policy of the day as Samuel Adams to the cause of American Independence. The King was determined that the colonies should submit to taxation, and he unfortunately had worthy representatives in more than one of the colonial governors, especially in Hutchinson, of Massachusetts, who in 1770 had succeeded Sir Francis Bernard.

During the administration of his predecessor, Hutchinson had obtained credit for liberal views, but he was hardly installed in power before he proceeded to prove to the inhabitants of Massachusetts that if Bernard had scourged them with whips, he intended to scourge them with scorpions. He convoked the General Assembly at Cambridge instead of at Boston; he handed over the fortress on Castle Island, which had usually been garrisoned by troops in the pay of the province, to an English force; he refused his consent to a Bill which the Assembly had passed for the improvement of the local Militia; he objected to the General Tax Bill because the officers of the crown were not exempted from its provisions; he perpetually laid himself open to charges of duplicity, and was never weary of exciting the suspicions of the King

and his advisers in England, and of painting the conduct of the Colonial statesmen in the darkest colours. He finally engaged himself in a discussion with the House of Assembly on the relative rights of the Crown, the English Parliament, and the colonies; till the Assembly, weary of perpetual altercations, and fearing that the salaries of the judges as well as those of the Governor were soon to be paid from England, petitioned the King in council to remove him. What Hutchinson was in Massachusetts, Governor Wright was in Georgia, and Lord Charles Montagu in South Carolina. "If you want to lose your colonies," said Shelburne, many years after, "begin with the governors;*" and it can hardly be doubted that he spoke with especial reference to Bernard and Hutchinson. "Lord Shelburne," says Josiah Quincy, "confirmed my former intelligence of Governor Hutchinson's assiduity, assurance, and influence, but observed that the eyes of the nation must soon be opened."† The evil effects of the conduct of the Governors were yet further increased by the perpetual wrangles which arose between the Commissioners of Customs and Revenue Officers and the Colonial merchants, owing to the laws of trade. Not even the removal of Hillsborough in 1772 from the Colonial office, and the accession to power of the

* Shelburne to Oswald, 1782.

† Memoir of Josiah Quincy, p. 223.

well-intentioned Dartmouth, a former member of the Rockingham Administration, could afford any real guarantee against the want of discretion of the representatives of the Crown on the other side of the Atlantic.

It is usually some small event which precipitates a crisis. The discovery of the letters of Hutchinson to Whateley—how obtained by Franklin it is here immaterial to inquire—and the facilities given to the East India Company for exporting tea to America, acted as the match to fire the accumulated stores of ill-will, which Bernard and Hutchinson had for so long been collecting. How the cargoes of the tea ships were seized in the harbour of Boston, and thrown into the sea, is amongst the best known events in the history of the eighteenth century. When the news arrived in England, there was a general outcry against the Colonists. Boston, it was loudly proclaimed, was in rebellion; and strenuous measures must be adopted. Nothing loath, the King and his advisers yielded to the popular clamour, and announced a vigorous policy. "Our American affairs," writes Shelburne to Chatham, "afford abundant matter of attention. Besides the resistance to the Tea Duty, the Ministry appear desirous of taking up the affairs of Boston. The two Houses of Assembly petitioned the King, about six months since, for the

removal of the governor and lieutenant-governor; alleging their loss of public confidence, and their incapacity to serve the King, in general terms. The petition was at first laid aside, but was on a sudden resumed, and referred to the Privy Council, who ordered the respective agents to attend with counsel, though not desired on the part of the province, on Saturday last. Thirty-five Lords were assembled besides those in office. It was reported that Lord Camden was to have been there; but he told me yesterday that it was occasioned by some conversation he had with the President, and that he abided decidedly by his old principles. Mr. Dunning asked, on the part of his clients, the reason of his being ordered to attend, and spoke shortly on the general object of the Petition; which meant no prosecution, but to convey the sense of the people to the throne. Mr. Wedderburne, under the pretext of reply, and the encouragement of the judges—the indecency of whose behaviour exceeded, as is agreed on all hands, that of any committee of election*—entered largely into the constitution and temper of the province, and concluded by a most scurrilous invective against Dr. Franklin; occasioned, as Dr. Franklin says, by some matter of private animosity; as Mr. Wedderburne

* The same statement is found in a letter of November 10th, 1802, from Dr. Priestley, who was present with Burke on the above occasion.

says, by his attachment to his deceased friend Mr. Whateley,* the publication of whose correspondence contributed to inflame the assembly to their late resolutions; and others say, it is the opening of a new plan of American government. The resolution of Council is not yet public, but is generally understood to be as much in favour of the governor and as discouraging to the province, as words can make it; and on Tuesday Dr. Franklin was dismissed the office of post-master for America, by a letter dated the preceding day.

"Lord Buckingham, the same day, moved the Lords, that his Majesty should order the Boston correspondence to be laid before the House, alleging, that the question now was, not about the liberty of North America, but whether we were to be free, or slaves to our colonies, and comparing Dr. Franklin to an Ambassador sent from Louis XIV. to the Doge of Genoa, &c. Lord Stair spoke after, in a bad, theatrical manner, which contributed to prejudice the

* The invective of Wedderburne concluded as follows: "Amidst these tranquil events, here is a man who, with the utmost insensibility of remorse, stands up and avows himself the author of all. I can compare him only to Zanga, in Dr. Young's 'Revenge,'—

'Know, then, 'twas I—
I forged the letter—I dispos'd the picture—
I hated—I despis'd—and I destroy.'

I ask my Lords, whether the revengeful temper attributed to the bloody African is not surpassed by the coolness and apathy of the wily American?"

House; but observed on the wildness of such language, and that humanity, commercial policy, and the public necessities (upon which he dwelt very properly, alleging the public to be little better than bankrupt in point of finance), dictated a very contrary one. Lord Dartmouth pressed to acquaint the House that it was the intention of Ministry to lay the papers in question before Parliament, and Lord Buckingham very readily withdrew his motion.

"Various measures are talked of, for altering the constitution of the government of New England, and prosecuting individuals, all tending more or less to enforcement. The opinion here is very general that America will submit, that government was taken by surprize when they repealed the Stamp Act, and that all may be recovered. I took the liberty to tell your Lordship in the summer that the great object of my parliamentary conduct would be to prove, that if the King had continued his confidence in the sound part of his administration in 1767, the East Indies might have proved the salvation of this country, without injury to the Company, or to any individual, and that peace might have been preserved in Europe and in America: which last will appear sufficiently evident from the papers of that time, when the colonies universally agreed to the Mutiny Act, in contradiction to their own principles. I have the Attorney and Solicitor-General's opinion, for their full

and satisfactory submission to the parliament; and Sir Francis Bernard acknowledges, in his letter dated January 30, 1768, that 'the House of Assembly showed a good disposition to a reconciliation with government, and had given good proof of it, having acted in all things with spirit and moderation, avoided subjects,' &c., and Lord Hillsborough himself, in his letter dated April 22, 1768, 'laments, that the same moderation had not continued.' I am further convinced, that it is only by recurring to the same principles, that the King can obtain any of those great objects, whatever hands he may employ, and that he might, by doing so in America, secure the commerce and customs of that country, upon any footing Parliament might judge expedient; might secure the growing produce both of the quit rents and post-office; might command a respectful, if not an affectionate language from the several assemblies; besides very possibly a supply, if it should be judged reasonable, in the way of requisition.*

* * * * *

"On Thursday night, Mr. Charles Fox received a letter from Lord North, acquainting him that the King had ordered a new commission to be made out for the treasury, and that his name should be left out

* Shelburne to Chatham, February 3rd, 1774.

of it. I know nothing from any authority of his successor. The town talks of Lord Beauchamp, or Sir William Meredith, or Mr. Cornwall.

"In the mean time, the public have been amused with a very solemn trial in the House of Lords upon literary property; which ended in the reversal of certainly a very extraordinary decree of Lord Mansfield's, who showed himself the merest Captain Bobadil that, I suppose, ever existed in real life. I ought, instead of being a bad writer, to be a good painter, to convey to your Lordship the ridicule of the scene. You can, perhaps, imagine to yourself the Bishop of Carlisle,* an old metaphysical head of a college, reading a paper, not a speech, out of an old sermon book, with very bad sight, leaning on the table; Lord Mansfield sitting at it, with eyes of fixed melancholy, looking at him, knowing that the Bishop's were the only eyes in the House who could not meet his; the judges behind him full of rage at being drawn into so absurd an opinion, and abandoned in it by their chief; the Bishops waking, as your Lordship knows they do, just before they vote, and staring on finding something the matter; while Lord Townshend was close to the bar, getting Mr. Dunning to put up his glass to look at the head of criminal justice. He has not reappeared since in the House of Lords, and all Westminister Hall behold his

* Dr. Law, formerly Master of St. Peter's College, Cambridge.

dejection without, I believe, one commiserating eye."*

A few days after Shelburne went on to inform Chatham of the further proceedings of the Ministry: "You will," he writes, "read Lord North's proposition in the newspapers, to change the port from Boston, till the assembly has indemnified the India Company, and to enable the king afterwards, if he judges proper, then to restore it. Colonel Barré tells me that, finding the Rockinghams divided, that is, Mr. Dowdeswell, after some hesitation, directly opposing, and Lord John Cavendish rather tending to approbation and decidedly declining a division, thought the best service he could do to America was to support government to a certain degree, avowing his original principles, and that he might have more weight to resist propositions of a more coercive nature, which might be offered in the prosecution of this business, which is to come on again on Friday. I accidentally met Lord Dartmouth yesterday morning at

* Shelburne to Chatham, February 27th, 1774. The debate above alluded to related to the question of literary property. One Becket had obtained a decree against some other bookseller for pirating a work belonging to him. It was maintained by the defendants that the statute of Queen Anne took away any right which an author might previously have had at common law of multiplying copies exclusively for ever. Lord Camden supported this view, in which the House of Lords concurred. Lord Mansfield had supported the decree, but now seemed to shrink from his own opinion.

Mr. Wilmot's. Without entering into the particular measures in question, he stated, with great fairness and with very little reserve, the difficulties of his situation, the unalterableness of his principles, and his determination to cover America from the present storm, to the utmost of his power, even to repealing the act; which I urged to him as the most expedient step, the first moment he could bring his colleagues to listen to such a measure. This, together with Lord North's language, which Colonel Barré tells me was of a moderate cast, leads me to hope the further measures will not be so hostile as was expected.*

* * * * *

"The Port Bill underwent a fuller, and by all accounts a fairer, discussion on Tuesday in the House of Lords than it did in the House of Commons. The debate took a general turn; and Lord Camden, in his reply to Lord Mansfield, met the question fully, and even as near the extent of his former principles as he could well do. The remarkable features of the day were the notorious division among the Ministry, which was very near avowed, some calling what passed in Boston commotion, others open rebellion, a more than disregard to Lord Dartmouth, and somewhat of the same sort towards Lord North. Lord Mansfield took upon himself a considerable lead: alleged that it was the last overt act of high treason, proceeding from over-

* Shelburne to Chatham, March 15, 1774.

lenity and want of foresight; that it was, however, the luckiest event that could befall this country, for that all might be recovered; compensation to the India Company he regarded as no object of the bill; that if this Act passed, we should be passed the Rubicon; that the Americans would then know that we should temporize no longer; and if it passed with tolerable unanimity, Boston would submit, and all would pass *sine cæde.*

"The House allowed me very patiently, though very late at night, to state the tranquil and the loyal state in which I left the colonies, with some other very home facts; and I cannot say I met with that weight of prejudice I apprehended. Lord Temple having come down to attend General Frazer's bill, declared, early in this debate, that he did not intend voting, or giving any opinion on the measure, but that the backwardness of the Ministers to explain their plan, appeared an indignity to the House; that they were mistaken if they thought the measure a trifling one; that in his opinion nothing could justify the Ministers hereafter, except the town of Boston proving in an actual state of rebellion; but he feared the Ministry had neither heads nor hearts to conduct either system. During the whole debate the ministers would never declare whether they would this session repeal the Act or not. In regard to their plan, Lord Dartmouth appeared to stop, after declaring the proposed alteration of the charter; but

Lord Suffolk declared very plainly, that *other very determined measures* should be offered, before the end of the session. The landed property, except some of the most sensible, are, as is natural, I believe, for violent measures. The interest of the commercial part is very decidedly on the other side, and their passions are taking that turn."*

What these other "very determined measures" were to be, soon appeared, although in the interval it had become known that the riots at Boston had mainly been caused by the obstinate refusal of the Governor and Commissioners of customs to grant a pass and clearance to the tea ships, without landing their cargoes; a course by which all difficulties were avoided at Charleston and Philadelphia. The Port Act was rapidly followed by five other Bills: the first abrogated the clauses of the Massachusetts Charter, giving the election of the council to the House of Representatives, and practically abolished town meetings; it also transferred the power of appointing the Sheriffs to the Executive, and to the Sheriff it entrusted the return of Juries. A second measure, known as the Quebec Act, extended the boundaries of Canada, so as to include the region on the Ohio and the Mississipi, the area of the present States of Michigan, Indiana, Illinois, Wisconsin, and Ohio, thus reversing the decision of Shelburne in 1763. Over

* Shelburne to Chatham, April 4th, 1774.

this enormous territory it established the rule of a military Governor, and a nominated council. The ministers who proposed and defended the Bill hardly concealed their hope, that the Roman Catholic population of Canada would allow itself to be used as an instrument to overawe the Protestant settlers in New England. "It would have been far better," said Shelburne, "to have given civil rights to the Roman Catholics before making them soldiers; they would now, no doubt, willingly employ the arms in their hands to destroy the privileges of which they were not suffered to partake."* A third measure transferred the place of trial of civil officers and soldiers, indicted for any capital offence committed in supporting the Revenue laws, or in suppressing riots, to Great Britain. Two other Acts legalised the quartering of troops within Boston or any other town. All these measures were passed by large majorities, and a proposal of Burke, on the 19th of April, 1774, to repeal the Tea Duty was contemptuously rejected. Equally vain were the efforts which Shelburne made in the House of Lords, where he insisted again and again on the true nature of the connexion between England and her Colonies. "I always have thought," he said, "and ever shall think, that both Ireland and America are subordinate to

* "Parliamentary History," vol. xviii. 724. Compare vol. i. 260–267.

this country, but I shall likewise retain my former opinion, that they have rights, the free and unimpaired exercise of which should be preserved inviolate. The principal fundamental right is that of granting their own money. That this invaluable privilege is going to be wrested from America, I take to be the true grievance. Remove that away and everything I daresay will return into its former channel. I do not here promise to meet the ideas of every person on the other side of the Atlantic indiscriminately. There may be some factious, turbulent, ambitious spirits there. I would be understood to speak of the prevailing governing dispositions of both countries. There may on the other hand be many people in this country so mistaken as so desire a revenue, but what I mean is, that if the claim of taxation was fairly relinquished, without reservation, I am confident the supremacy of the British Parliament would be acknowledged by America, and peace between both countries be happily restored;" and he went on to show that even if there was no other objection to the ministerial policy, the fact of the penalties and prohibitions laid on the colonists including guilty and innocent alike, and condemning them without a hearing in their own defence, was alone fatal to it.*

"I execrate the present measures," said Barré

* "Parliamentary History," xviii. 921, 959, 1087, 1271.

in the House of Commons. "You have had one meeting of Congress; you may soon have another; for if they submit they are slaves."* His words were prophetic. The answer of Massachusetts to the Port Bill was a summons to a General Congress, and whatever unwillingness or hesitation at first existed amongst the other Colonies, was removed as the news arrived of the still more oppressive measures which had followed. The acts themselves were set at nought; nobody could be found to act as Sheriff, or as a nominated councillor, while General Gage, who had been sent out armed with full civil and military powers to replace Hutchinson, having inaugurated his rule by seizing the powder of the province, saw the people rise in resistance, and by September 1774, the King's rule, except inside Boston, had ceased to exist in Massachusetts, and Boston itself became subject to a species of blockade. On the 4th of September Congress met, and resolved to petition the King. Their councils were of the most moderate kind; those who like Samuel Adams desired independence were as yet but few. In New York, Pennsylvania, Delaware, Virginia, South Carolina, and Maryland, the conservative party was especially strong. The ruling spirit of the hour was Dickenson, of Pennsylvania, the author of "The Farmer's Letters," and even a

* "Parliamentary History," xviii. 683.

respectful hearing was given to those who, like Galloway, were afterwards during the war among the most devoted royalists. Washington at this period believed that no reflecting person as yet wished for independence. In their petition the Congress only asked for a return to the state of things which had existed previous to 1763; in order to conciliate Rockingham, they made no express mention of the Declaratory Act, while to conciliate Chatham they clearly acknowledged their consent to all acts of the British Parliament passed for the purpose of regulating trade. At the same time they expressed their approval of the conduct of the State of Massachusetts, and their intention of supporting it in future if necessary; a non-importation agreement was also determined upon, to come into effect on the 1st of December, should their grievances remain unredressed at that date.

It was the general belief in England amongst all men of moderate views, that the proposals of Congress afforded a fair ground for reconciliation. George III., however, could see nothing in them but the first evidence of an overt rebellion, which, as he expressed it to North, "blows alone could put down."* North indeed wished to negotiate, but the King had no difficulty in inducing the servile

* George III. to North, November, 1774.

majority of the Cabinet to reject all temperate advice, and they resolved to introduce further repressive measures, to forbid all commerce with New England, and while extending royal clemency to those who might submit, to proclaim all those who resisted, traitors and rebels. "There are men now walking in the streets of London, who ought to be in Newgate or at Tyburn," said Hillsborough; and he was understood to refer to Franklin and Quincy,* the friends of Shelburne.

The divided condition of the Opposition, which was still suffering from the effects of former quarrels, materially facilitated the plans of the King and the Court. It was not indeed that the repressive measures against America had experienced no resistance. The eloquence of Burke had vied with that of Chatham, the learning of Dunning with that of Camden, in denouncing the unconstitutional character of the proposals of the Government. On every occasion Shelburne and Barré had raised their voices against the measures brought forward in either House of Parliament. But there was neither real concert nor lasting union. Sometimes the leaders would not lead, sometimes the followers would not follow. Seldom were they able to make a well concerted plan of resistance; hardly ever did they unanimously carry it through when made. A few

* See Bancroft, vol. vi. 107.

short notes written in the third person were all that passed at this period between Shelburne and Rockingham, and when early in 1775 an interview took place between the latter and Chatham, no substantial agreement could be arrived at. "I look back," said Rockingham, "with very real satisfaction and content on the line which I indeed, emphatically I, took in the year 1766 : the Stamp Act was repealed, and the doubt of the right of this country was fairly faced and resisted."* But Chatham believed that the Declaratory Act must be included in the general repeal of all the obnoxious statutes, and agreement becoming impossible, he went alone, as he expressed it to Shelburne, "to look the tapestry and the Bishops in the face." †

Plans of conciliation were laid before Parliament during the months of January and February, 1775, by Chatham and North respectively. The essential difference between them was that while the former proposed to recognize the existence of Congress, and to repeal all the vexatious statutes passed since 1763, the latter only suggested that should any single colony undertake to provide for the common defence, and the civil government, and should their plan be approved by Parliament, England should abstain

* The above words occur in a letter from Lord Rockingham which can be read in vol. ii. of the Memoirs, p. 258.

† Chatham to Shelburne, January 19th, 1773.

from imposing any tax within the province. The proposals of Chatham, which Shelburne strongly supported, were summarily rejected, and a like fate awaited an analogous plan put forward by Burke in the House of Commons. Even the moderate propositions of North all but caused his downfall, owing to the opposition of the Bedford Whigs, still as before the bitterest enemies of America. To conciliate them, a Bill was proposed to restrain the commerce of the New-England provinces with Great Britain, Ireland, and the West Indies, and to prohibit them from sharing in the fisheries on the banks of Newfoundland; while an address was carried to the Crown by the House of Commons declaring that Massachusetts was in rebellion, and pledging the country to join the King in suppressing the outbreak. The only real step taken, in the direction of conciliation, was the recall of Gage, who had shown as little ability in military as in civil affairs. He was replaced as Civil Commissioner by Lord Howe, while the command of the troops was given to General Howe. Before however the two brothers could reach America, blood had been shed at Lexington,* and the second continental congress had met.†

Moderate counsels however continued to prevail.

* April 19th, 1775.

† May 10th, 1775.

Jay proposed a second petition to the King, and Dickenson still remained master of the situation. A second petition was accordingly drawn up in terms resembling the first, and confided to Richard Penn, one of the Proprietaries of Pennsylvania. It was only after much hesitation that Congress, at the request of Massachusetts, took over the direction of the army, which for some time had been collecting round Boston, and appointed Washington Commander-in-chief. The greater part of the force was only enlisted for one year, and the sum borrowed to support it was not large enough to last beyond that period. Meanwhile not only the Congress, but the individual States had declared the propositions of the English Ministry unsatisfactory and inadmissible. "In my life," said Shelburne, "I never was more pleased with a State paper than with the Assembly of Virginia's discussion of Lord North's proposition. It is masterly. But what I fear is, that the evil is irretrievable." *

It was at this juncture that the rejection of the second petition of Congress by the King,† came to render reconciliation between England and her Colonies far more difficult than it had been previously. It was urged, that it was contrary to the dignity of Parliament to negotiate with a body

* See the account in Bancroft, vi. 244.

† August, 1775.

which, like the Congress, had no legal status, but this, said Shelburne, was a subtlety worthy only of Mansfield. It should be recollected, he added, that the idea of an American Congress was no new idea; for it could be shown not only that men like Franklin had favoured it, but that it had met the approval of Lord Halifax, Mr. Grenville, and Mr. Oswald.* It was also useless, he pointed out, to embitter the discussion of the questions before Parliament, by accusing the colonies of planning Independence, in the face of their explicit declaration to the contrary, contained in the Petitions they had sent over. To do so was the best means to make them desire Independence. To call the Americans *rebels* was idle and wicked. The Romans had a war of a character similar to that being carried on in America. They did not call their enemies in that war rebels; the war itself they called the Social war, and in the same way he desired to call the war in America a Constitutional war. The principles of Selden and Locke, he went on to say, had since the Revolution been generally considered the surest guide for English statesmen, but the present ministers were reverting to the precedents of the Stuart period. It was the lurking spirit of despotism that produced the Stamp Act in 1765; that fettered the repeal of that Act in

* 'Parliamentary History,' xviii. 922. Bancroft, iii. 59–75, 147–165.

1766; that revived the principle of it in 1767; and had since accumulated oppression upon oppression. But if the ideas of the ministers were odious, the means by which they sought to carry them out were still more so. They had gone about begging for troops from every petty potentate in Germany. They had not scrupled to arm the Roman Catholics of Canada against the Protestants of New England, and to let loose the savage Indian nations of the interior, against the civilized inhabitants of the colonies. Ministers were, however, he confessed, able to do what they liked, while Parliament was constituted as it was. Not only did Parliament misrepresent the nation, but the Ministers had corrupted the Parliament. Parliament was full of placemen, pensioners and contractors, and as regarded the support of the landed interest, which was so frequently appealed to, the landed interest was neither the whole nation, nor always the most enlightened portion of it. It was idle, therefore, to talk of the nation wishing this, or the nation wishing that. It was not the nation, but only Parliament that spoke, and Parliament was dictated to by Ministers, who were themselves the creatures of the King. For many years, he insisted, a fatal and overruling influence had governed the country. Lord Mansfield was the real Prime Minister, and through his despotic counsels a Great Empire was being

plunged in all the miseries and horrors of civil war while the domestic liberties of the country were equally endangered. In how odious a light the conduct of the ministers appeared to the people at large, might, he said, be judged from the unpopularity of both the services. The resistance of the City authorities to the press warrants had met with as much approval, as it had met with disapproval, when the question was not of fighting the colonies but of fighting Spain, and the first lord of the Admiralty had had to threaten officers, who did not at once furnish the Board with an account of their places of residence, with striking them off the list. Loyal addresses were indeed many, but enlistments were as few as the signatures to the addresses were numerous.*

Under the influence of feelings similiar to those of Shelburne, Grafton, who for some time past had been dissatisfied with his position, now resigned the Privy Seal, after making a vain attempt to induce the King and the Prime Minister to retrace their steps. About the same time Rochfort, who had held the Seals of the Southern Department ever since the resignation of Shelburne in 1768, resigned his place. The additions which were thereupon made to the Ministry clearly indicated

* "Parliamentary History," xviii. 162, 163, 275, 279, 449, 723, 725, 922, 926, 935, 1098, 1099, 1221.

the nature of the ideas which the King intended to govern it. The Privy Seal was given to Dartmouth, whose place was filled by Weymouth, while Lord George Sackville, now become Lord George Germaine, filled the place of Dartmouth.

Grafton now threw himself into a vigorous opposition. His great object was to unite the various sections of the Whig party, and after many difficulties, chiefly occasioned by the hesitations of the friends of Rockingham, he succeeded in concerting a plan of action for the coming session, which enabled the opposition to act with greater vigour and union, during the winter of 1775, than it had done for some time past. "The light," he says, "in which the business appeared to me, was partly this: that if a cordial reconciliation was not *speedily* effected with the colonies, to lose America entirely would be a lesser evil than to hold her by a military force, as a conquered country: and that the consequences of holding that dominion by an army only must inevitably terminate in the downfall of the constitution and liberties of Britain. Thus, success itself would be dreadful. To prevent these threatening consequences, the opposition was most honourably engaged: and it was with the most hearty concurrence with the principal men who composed it, that I added my little aid: having fully opened our

minds to each other, and found little difference in our opinions.

"I did not aim at any particular knowledge of Lord Shelburne's opinions, as I had heard from Lord Camden that they tallied to a great degree with my own. But I was however much pleased with the following paragraph of a letter which, dated November 4th, 1775, I received from Lord Camden. 'The mention of the last lord's (Shelburne's) name gives me an opportunity of acquainting your Grace that I was desired by him to deliver a handsome and a frank message to your Grace, which I could not well do then, nor indeed can I now; because I cannot venture to recollect the words, and I am afraid of going too far. Thus much I can safely say, that he will fairly open his mind, and tell your Grace very frankly how far he will go, and where he will stop: and in my opinion, he and his friends Barré and Dunning have a manly and explicit way of proceeding which pleases me.'

"After some conversation with Lord Shelburne on public affairs, in consequence of the above message, we became good political friends, and remained so, with the exception of a few immaterial squabbles, to the end of his life. It is but justice to the eminent personages, who composed this opposition, to say that there never existed, at any time, such another in purity

of intention towards the public, to whose benefit and welfare their measures were solely directed."*

The King now still further aggravated the position by issuing a proclamation for repressing rebellion and sedition, the terms of which seemed equally pointed at the Whig opposition in England and the colonists in America, while a bill was brought forward, extending the Prohibitory Bill, so as to include, not only New England, but the other colonies as well. The answer of America to the Boston Port Bill had been the first meeting of Congress. The answer to the attack on Concord had been the first organisation of the continental army. The reply to the Royal Proclamation against sedition and the Prohibitory Bill was the first Act of real Sovereignty exercised by the Congress, viz., the appointment of a Committee on Foreign Affairs, and the issue of letters of Marque. Events now marched rapidly. Step by step the party of moderation had to yield to the party of action, as it gradually became clear, that, notwithstanding the efforts of Shelburne, Grafton, and the other members of the opposition, the English Government gave no choice between war and absolute submission, while the early successes of the American arms encouraged the belief that the result of war might not be unfavourable to the younger country. On the 4th of July, 1776, the

* Autobiography of the Duke of Grafton.

Declaration of Independence announced that a new State had taken its place amongst the Powers of the World. "America," said Lord Camden, "is gone for ever." *

One of the first steps which the party of action in the Colonies had taken, was to seek the aid of foreign powers, especially of France, to which Silas Deane was sent on a mission. It is extraordinary to read the speeches of the English Ministers of the time in which, regardless of the information existing in the offices over which they presided, they insisted that no danger was to be apprehended from abroad. It was in vain that Shelburne, aware that since the very recent death of Louis XV., the ideas of Choiseul in the person of Vergennes were once more inspiring the councils of the French Government, warned the country of the perilous position in which it stood. "I foresee the possibility," he said, "if not the strong probability of our being compelled to engage in a foreign war. I remember a few years since that we were lulled into a security which must inevitably have proved fatal, but for the strange revolution which took place in the French Cabinet, the dismission of that bold enterprising Minister Choiseul, who had planned the destruction of this country, in revenge for the disgraces France had suffered, and the repeated

* Autobiography of the Duke of Grafton.

injuries, he imagined, she had received in the course of a long, glorious, and successful war, carried on by Great Britain. I do not pretend to dive into the secrets of Cabinets farther than I am well warranted, or presume to point out the persuasive arguments employed to bring over the woman to whose influence this unexpected turn of affairs is attributed;* but this I will venture to assert, because I have the proofs in my power, that Gibraltar, Minorca, Jamaica, and the greater part of our possessions in the East and West Indies, would have been among the first sacrifices that would have fallen, had it not been, I may say, for the miraculous interposition of Providence in our favour." As regarded the pacific attitude of France, which was being perpetually insisted upon by the Ministers, he said he would only remind the House of what happened in 1741 during the Spanish war, when Cardinal Fleury, a man of a most pacific disposition, directed the Councils of France. Lord Waldegrave, the English Ambassador at Paris, frequently pressed his Eminency relative to an armament then fitting out at Brest, to know its destination, whether it was meant to join the Spanish fleet or not. The Cardinal always assured him in the fullest and most explicit terms that France was determined to take no part whatever in the quarrel. Lord Waldegrave, however, one day heard in the streets that the fleet had

* Madame du Barry.

left Brest, to reinforce the Spanish fleet in the Mediterranean. He immediately repaired to the Cardinal to upbraid him with his breach of promise. "You were not misinformed, my Lord," replied the Cardinal, "the fleet has actually sailed, and for the purpose you heard. I confess likewise that I had frequently solemnly assured you of the contrary; and I further own, that Spain is entirely in the wrong, and that it is perhaps neither prudent nor politic in us to take part in their business; but I would wish you, my Lord, at the same time to perfectly understand, though we do not approve of the motives of their going to war, and will always carefully avoid to encourage them in their broils in the first instance, when engaged for any time, we can never submit to remain inactive spectators of their ruin, and your consequent aggrandizement."*

The language of Cardinal Fleury was exactly that with which Vergennes in a year's time was parrying the complaints of Lord Stormont. Silas Deane had arrived in France by July, and was having frequent conferences with the French Ministers. Arrangements were made between them for the secret supply of war material to America, while numberless officers flocked over to take service under Washington, and the American privateers were received in the French ports. It was tolerably

* "Parliamentary History," xviii. 673, 935, 1272.

certain that where France led, Spain would soon follow, whatever the danger might be to her colonial empire, from an active participation in the war. "Under these circumstances," said Shelburne, "a crisis having arrived, it was necessary that the supreme direction of affairs should be placed in the hands of the Earl of Chatham. He was not influenced by any private motive in saying so; it would be vain and preposterous in him to insinuate that his connection with that noble Earl was anything but a political one. The disparity of their years rendered private friendship unattainable, but he considered the Earl of Chatham as the greatest ornament of the two Houses, in which he shone with such unrivalled lustre: the most efficient servant of the crown and, while he had life in him, the nerve of Great Britain."* Unfortunately at this moment Chatham was again struck down by the same mysterious malady, which had paralyzed his energies in 1767, and was only able to declare, in a paper which he dictated to Dr. Addington, and sent to Shelburne as a species of political testament, "that he continued in the same sentiments, with regard to America, which he had always professed, and which stand so fully explained in the Provincial Act offered by him to the House of Lords. Confiding in the friendship of Dr. Adding-

* "Parliamentary History," 922, 1220.

ton, he requested of him to preserve this in his memory; that in case he should not recover from the long illness under which he laboured, the Doctor might be enabled to do him justice, by bearing testimony, that he persevered *unshaken* in the same opinions. To this he added that, unless effectual measures were speedily taken for reconciliation with the colonies, he was fully persuaded, that, in a very few years, France would set her foot on English ground; that, in the present moment, her policy might probably be to wait some time, in order to see England more deeply engaged in the ruinous war, *against herself*, in America, as well as to prove how far the Americans, abetted by France *indirectly* only, might be able to make a stand, before she took an *open* part, by declaring war upon England."*

It is difficult from the Parliamentary reports of the period, now under consideration, to form any very just estimate of the talents of the various speakers. Lord Camden rated Lord Shelburne's oratorical powers above those of any peer of his time, Lord Chatham alone excepted.† Lord Thurlow complimented him on the correctness and minuteness of his information,‡ and even Walpole does not deny him a high place amongst the debaters of his time.

* Chatham Correspondence, iv. 423-427.

† Autobiography of the Duke of Grafton.

‡ Debate in the House of Lords. February 4th, 1782.

Jeremy Bentham, indeed, who was as much personally attached to Shelburne as Walpole was the reverse, does not join the latter in his commendation. "Lord Shelburne," he says, "used to catch hold of the most imperfect scrap of an idea, and filled it up in his own mind, sometimes correctly, sometimes erroneously. His manner was very imposing, very dignified, and he talked his vague generalities in the House of Lords, in a very emphatic way, as if something good were at the bottom, when in fact there was nothing at all." * Jeremy Bentham, however, cannot be considered a good judge of Parliamentary speaking. He would probably have wished every speech to have begun with a general statement of the utilitarian theory, to have proceeded to the application of it to legislation in general, and to have concluded with its bearing on the question immediately under discussion. "In his public speeches," says the third Lord Holland, "Lord Shelburne wanted method and perspicuity, and was deficient in justness of reasoning, in judgment and in taste; but he had some imagination, some wit, great animation, and both in sarcasm and invective not unfrequently rose to eloquence. His mind seemed to be full and overflowing, and though his language was incorrect and confused, it was often fanciful, original and happy. There was force and

* Bentham, Works, X. 116.

character, if there was not real genius, in his oratory. If he did not convince the impartial, or confirm the wavering, he generally gratified his own party and always provoked his adversaries; he was a great master of irony, and no man ever expressed bitter scorn for his opponents with more art or effect. His speeches were not only animated and entertaining, but embittered the contest and enlivened the whole debate."* Sarcasm and invective certainly seem to have been his forte; diffuseness and repetition his weakness. It was the latter faults which were the butt of the satirists of the Rolliad, when, in after years, taking off the speech he made on the first of March, 1787, on foreign politics in the House of Lords, they made him come forward and speak as follows:

"Lost and obscur'd in Bowood's humble bow'r,
No party tool—no candidate for pow'r—
I come, my lords, an hermit from my cell,
A few blunt truths in my plain style to tell.
Highly I praise your late commercial plan;
Kingdoms should all unite, like man and man.
The French love peace—ambition they detest;
But Cherburg's frightful works deny me rest.
With joy I see new wealth for Britain shipp'd.
Lisbon's a froward child, and should be whipp'd;
Yet Portugal's our old and best ally,
And Gallic faith is but a slender tie.

* "Memoirs of the Whig Party," i. 41.

My lords! the manufacturer's a fool;
The clothier, too, knows nothing about wool;
Their interests still demand our constant care;
Their griefs are mine—their fear is my despair.
My lords! my soul is big with dire alarms;
Turks, Germans, Russians, Prussians, all in arms!
A noble Pole (I am proud to call him friend)
Tells me of things—I cannot comprehend.
Your lordships' hairs would stand on end to hear
My last dispatches from the Grand Vizier.
The fears of Dantzick merchants can't be told;
My accounts from Cracow make my blood run cold.
The state of Portsmouth and of Plymouth Docks,
Your Trade—your Taxes—Army—Navy—Stocks,
All haunt me in my dreams; and when I rise
The Bank of England scares my open eyes.
I see—I know some dreadful storm is brewing;
Arm all your coasts—your Navy is your ruin.
I say it still; but (let me be believ'd)
In this your lordships have been much deceiv'd,
A noble Duke affirms I like his plan;
I never did, my lords!—I never can—
Shame on the slanderous breath which dares 'instil
That I, who now condemn, advis'd the ill.
Plain words, thank Heav'n, are always understood;
I *could* approve, I said—but not I would.
Anxious to make the noble Duke content,
My view was just to seem to give consent,
While all the world might see that nothing less was meant."*

His favourite antagonist was always Lord Mansfield, "the dark designing lawyer," "the director of the fatal and overruling influence." On one occasion,

* The allusion was to the fortifications of Gibraltar which Lord Lansdowne criticized in 1787, but which, according to the Duke of Richmond, he had approved in 1782.

during the debate on the address to the King upon the disturbances in North America, a scene of extraordinary violence took place between them. Lord Mansfield insinuated that Lord Shelburne had not behaved like a gentleman, and that the charges he made were malicious, unjust, and indecent; whereupon Lord Shelburne returned the charge of falsehood in direct terms.* On another occasion he became involved in an altercation almost as violent with the Archbishop of York, who in a charge to his clergy had stigmatized the fair character of Lord Rockingham.† It would however be perhaps difficult to draw any real distinction between the violence of Lord Shelburne and that of many other speakers. As the Duke of Grafton observes in his Memoirs, the debates at this period "were unusually frequent and warm," and few readers of them will be inclined to disagree with the opinion of one so competent to judge.‡

* "Parliamentary History," xviii. 282, 283.

† Autobiography of the Duke of Grafton.

‡ Autobiography of the Duke of Grafton.

CHAPTER IX.

LORD SHELBURNE ON MEN AND THINGS.

DURING the period of which the political history has been narrated, Lord Shelburne continued to employ his leisure in the management of his estates in England and Ireland. Some of his reflections on the subjects thus brought before his notice, and on kindred topics, will be found in the following paper :*

ENGLAND.

"Man is made to be dependent in some respects, independent in others. Religion, morality, and necessity, point out his duties to others. Pride, knowledge of life, and reflection, suggest those which he owes to himself, and confirm those he owes to society. It is the action and reaction of these duties one upon the other, which ensure a man's happiness and credit through life; but all combine

* This chapter has been edited from a memorandum on his private affairs left by Lord Shelburne, an incomplete letter on Ireland (apparently intended for publication), and several fragmentary papers among the Lansdowne House MSS.

in one fundamental principle, never to be departed from, *to put yourself in the power of no man.*

"Constitutional liberty consists in the right of exercising freely every faculty of mind or body, which can be exercised without preventing another man from doing the like. In the best Governments more or less of his liberty has been unnecessarily sacrificed through ignorance, indolence, or accident, and a man must wait a favourable opportunity to recover what his ancestors lose. But in private life, it is imbecility or madness ever to lose liberty, and it is always recoverable. No man can be trusted with power over another. The heads of the most sensible men turn with it, and lose both their sense and memory; while fools, who form the great majority of mankind, have neither of these at any time. No gratitude can withstand power. Every man from the monarch down to the peasant is sure to abuse it. A man therefore must be ever upon his guard against any weakness, accident, momentary necessity, or effusion of heart, which can lead him to put himself in the power of another.

"As long as money is determined upon by the universal consent of all nations and of all men, savages excepted, as the Anima Mundi, and the universal sign of intercourse, which quickens every thing upon which man is dependent, in the first instance for necessities, next for luxuries, and lastly for

all power of doing either good or harm, so long the first thing for a man's consideration is the right ordering of his private affairs; or in other words, of his receipts and expenditure.

"Since the powers of the mind can never be counted upon as forthcoming upon every occurrence, great or small, public or private, and since every man who has any predominant passion, such as most men commonly have, is alive to that, and mostly dead to every other consideration; every sensible man must lay down certain rules to govern his conduct, by which to guard against surprise or the effect of momentary weakness. Instinct suggests certain rules to every man to guide his physical conduct, such as not to attempt to pass a river without being certain that the stream be not out of his depth, and experience, in like manner, suggests certain rules equally indispensable for the government of his social conduct.

"Of these rules, two are essential. The first is, *to be bound for no man.* No man can afford it. If he has an overplus he is bound to give it, and if he is called upon by any particular ties, he will find it cheaper nine times in ten to give a part, be it what it may, which he can afford, than to be bound for the whole. A man who desires another to be bound for him, must either have a bad heart and be a bad calculator, or else be a drowning man, who naturally

catches at every twig, even at another man, though he is sure to drown him. It may serve as a warning to my own family to be told, that I have lost nearly £40,000 by being bond for other men, a great part of which I was obliged to borrow rather than put myself in the power of others, or ask others to be bound for me. If any one will take the trouble of computing this at the rate of compound interest, which in fact every man pays who borrows out of his natural line of receipts and expenditure, it will be seen to what a frightful sum it amounts, though it gives a faint idea of the embarrassments and disadvantages it occasioned to me, far exceeding the pecuniary consideration; and all the return I had was treachery, and a great deal of unjust public abuse.*

"The second essential rule is, *to see with your own eyes.* This is the more difficult, as it is the interest of every body about you to prevent it. Men bred to business and to struggle, who know the World, and are broke to mankind, and whose livelihood depends upon making the most which they honestly can of their respective situations, such are the men who contend with a proprietor. On the other hand the proprietor is most commonly ignorant of the world or at least of business, has been taught everything

* From an entry in the Diary of Lady Shelburne, 1769, it appears that the transaction here alluded to, was a loan to his private Secretary Mr. Macleane, who had been a considerable sufferer by a sudden fall in the value of India Stock.

but order or right economy, his fortune is in general made and he is either diffident, mild, and unused to look anybody in the face, especially upon money matters, or else vicious, dissipated, and extravagant, —or to say the best which can happen,—of an elevated mind, turned either to ambition or some liberal pursuit, or to splendour, or ease. He forgets or does not sufficiently comprehend that money is the grand foundation of the whole, and the general instrument, however sordid and contemptible the pursuit of it may be, if suffered to exceed due bounds, viz.: the purposes of order, and particularly if it becomes a sole passion; though physicians and many observers upon life have thought it the most healthy pursuit a man can have. Hence, to put gross dishonesty out of the question, agents, tenants, lawyers, neighbours, servants, all wish to be let alone.

"An agent, let him be ever so honest, keeps your money as long as he can; and makes every profit, which he honestly, that is legally, can at your expense. The tenant uses every art to get his farm as cheap as he can, and having nothing else to think about, commonly succeeds against every gentleman who is not driven by distress to look very closely into his affairs. I have heard a sensible man observe, that you may go anywhere and be sure to be more welcome than upon your own estate, where every man appears by his looks to say, Do you suspect

me? A lawyer does not like to go through the fatigue of thinking. If he thought about the interest of every client who applied to him, either he would get very little money, or he would quickly destroy his constitution. A neighbour must be very void of the most general of all vices, envy, who can see with satisfaction a person come and eclipse him, and take from him by dint of property, the influence which he obtains by residence. A servant, let him be ever so honest, makes it a point of honour not to tell of a brother servant.

"It may be too much to say that these several descriptions of men are your natural enemies; but it must be remembered, that they live by the public, not by you, that they have other relations of life, that they do not come to you in the capacity of friends, where elevation of mind should be the first material, though they sometimes turn out so, and that elevation of mind is not to be expected from their education or situation, whatever particular instances there may be to the contrary. Every man who plays at cards, where honour is supposed to preside, counts the money he wins, let him play with whom he will; and no man trusts another with untold gold. How absurd therefore is it, not to examine the accounts of those who enter your service expressly to be accountable, and to make others so! It is true, there may be some exceptions; and there

are men in most families who prove themselves capable of friendship, elevation, and disinterestedness; but you had much better play at faro, where the odds will be much less against you, than lay your account on meeting such exceptions, or trust to your own judgment and penetration; which if good, may enable you to judge of the talents of men, which they scarce know themselves, but never to reach their hearts, much less what they may do in particular cases, and how far they may be capable of resisting temptation, especially in moments of distress. Besides, many men are very good when well looked after, who left to themselves are capable of deviating gradually into every species of dishonesty. Sir William Petty was very well served, and left it among his advices to his sons, to continue to employ the same people, whom he had trained to the conduct of his affairs, and found honest and diligent in the management of them. They accordingly did so; but these very men, not being looked after, converted everything they could to their private advantage.

"There is still another consideration, which is that as the proportion of foolish to sensible men is beyond all calculation in the general mass of mankind, so nearly the same proportion of these characters exists in the professions. Parents destine children to this or that profession without considering their talents or from misjudging, being commonly governed

by some motive; and men are still less able to decide upon their own fitness, but are commonly either led by fancy and chance, or interest gets them strangely forward in life. But the worst of it is, that they are obliged to act the part of men who know, and the most foolish and most ignorant are commonly the most arbitrary, positive, and adventurous, both from motives of conceit, and to conceal their ignorance. This and want of time and application are the real causes of the perpetual blunders, which are to be found in every transaction of business (and I believe there is not a settlement in the kingdom without some), much more than the policy which is supposed to prevail in all trades, of making business out of business for their own emolument, or any positive dishonesty among agents. The attention of the principal in a great measure remedies all this. It may be said that the same proportion of foolish to sensible men holds good as to men of property, but it is incredible how much an immediate interest supplies the want of parts, and how much less it requires to judge of a man's own affairs than to judge of those of another. The eye of the most ignorant owner operates upon his agents like witchcraft. There is no describing or comprehending it but by trying it. Dishonesty is always cowardly and full of apprehension, always shrinking from the approach of truth and power, whereas honesty and

truth show themselves in a thousand ways, and certainly predominate among mankind, where they are not counteracted by personal interest and ambition, else there would be no existence in the world. Besides all this, economy is a very narrow science. It requires no great sense, no parts, little or no sagacity or penetration, nothing but a very moderate degree of steadiness and clearness of head.

"The whole of economy in fact turns but upon two points, which if they be but once well established and punctually observed in any family (and they require little if any more power of mind, than to be sure to put on a clean shirt every day, or not to lay your hands upon another person's property), leave you free to every pursuit of body or mind, and to experience every duty with ease and cheerfulness, laying the only solid foundation of domestic happiness, and ensuring public consideration and confidence to a degree that is inconceivable; for all reputation comes from home. The two points are the simplest in human nature. 1. *Half yearly receipts.* 2. *Weekly expenditure.* Some separate observations may be useful upon each, but they will be found equally simple.

"1. *Half yearly receipts.* It must be always remembered, that agents will keep money if permitted, and tenants will not pay if they are not obliged. This has always been the practice in

public and private business, and it is now more than ever so, on account of the number of country banks, which corrupt the whole country, by soliciting the custody of ever so small a sum, if it be but for a day, and by having recourse to this and a variety of other methods to circulate their notes, which must end in some great public calamity. To obviate this so far as regards your particular interest, it will be prudent on no account to receive or pay the notes of any country bank, but both to receive and pay in current coin.

"Rents are payable in England commonly at Michaelmas and Lady-day, and in Ireland commonly on the 1st of May and 1st of November.

"It is customary and reasonable to leave one half year in the tenant's hands, but any further indulgence will always be found as pernicious to the tenant as to the landlord, and in fact more so. If land is let too high, lower it. In case of any particular calamity, it may deserve distinct consideration. Wherever I have forborne longer, which was too often, till I came to see the consequences, it has always ended in the ruin of the tenant. But as there may be particular fairs and local circumstances, it may be right to give to the month of April and October to pay the English rents, and to June or July, to pay the Irish May rents, and so on in proportion, requiring the agents to state the

circumstances, and to use their utmost endeavour to bring the tenants upon each estate to some precise day of audit within the above limits, which if the agent has no by-view to answer, must suit his convenience far better than receiving by dribblets.

"English agents must return their accounts by the 10th of May and 10th of November; and Irish agents by the 10th of August and 10th of February. But this is a point of so much importance, that if the English accounts are not received by the 1st of June and the 1st of December, and the Irish by the 1st of September and 1st of March, the agent who fails must *ipso facto* be dismissed, it being the hinge upon which the whole of your economy turns, and the least relaxation in which makes it impossible for the office at home to make you a general return of your whole receipt, which they must be always obliged to do on the 10th of September and on the 10th of March. Without this, one half year is suffered to run into another, and like putting off writing a common letter, if deferred endlessly, it hangs a weight upon the mind, or else is entirely forgot. Accounts accumulate, parties die, vouchers are lost, every circumstance is lost sight of, and frauds and carelessness are encouraged. An unprincipled man with the least ability sees that the odds are that he never will be detected; and an honest man with a spark of indolence, is drawn into ruining both

you and himself. Whereas to prevent all this, the slightest possible effort of the mind is requisite, namely, to insist upon punctuality from men of business whose profession it is; the reasonableness of which cannot stand a moment's argument. After this is done nothing more is requisite than a cast of the eye, for the whole may be made linear.

"*Weekly expenditure.*—Private trade has but one character, and is never to be trusted. It must be governed by the character of the many and not of the few. The character of the many always has been and always will be that of dissipation and idleness. The tradesman partakes of this character, as well as his customer; and he will be always sure to take care of himself, which is constantly in his power, at the expense of the customer who does not pay regularly. His prices after a certain time never can be questioned. The honest tradesman, if he is not regularly paid, must charge accordingly. They cannot be blamed for it, nor do they deny it; and what interest must they charge to compensate the delay of 15 or 20 per cent. profit, the inconvenience of his advances breaking in upon his capital, and the risk attending other debts; all of which must comparatively fall upon the irregular customer: for whoever pays regularly can go from one to another after inquiring and comparing the prices at home or abroad.

"The memory of no man is equal to the number-

less items wanted in the smallest family, nor can any man's prudence be always upon the watch against an accumulating account; and when it comes to be matter of recollection or dispute, no gentleman is a match for a tradesman. He ceases to be a gentleman when he is. But this is not all, if you owe a tradesman 100*l.* and he owes, which is often the case, 100*l.* to ten different persons, and cannot pay them, there is not an honest tradesman who will not think it fair, or at least is not involuntarily led to make what you owe him an excuse to each of the ten; so that presently you pass with the world for owing ten times what you do; for all character comes from home, the rest of the world being too indolent to inquire into the truth of those whose interest it is to speak in such cases. So that besides paying interest beyond that of any rate of usury, you insensibly lose both credit, which well supported is a mine in regard to money, and character, which is equally invaluable in other respects.

"Servants are but a poor check, for the proportion of sense to folly holds good in regard to servants as much, if not more, than to any other description; and how can you expect a servant to do for you what you will not do for yourself? Besides, servants are not proper judges: they only look to expenditure. They do not know, nor is it fit they should know, the amount of your receipt, much less the

whole of your affairs, and the nature of your views. The best servants love to order, each in his own department, and to make that the principal subject of expense, nor can servants be brought to tell of each other, except it be for some purpose of intrigue or cabal.*

"Most articles of expense may be brought to as great a degree of certainty as your receipts, and there are none which will not average themselves after a little observation.

"No man can prescribe to another the nature of his expenses, any more than the conduct of his life, as both must depend upon his particular temper and character, and upon circumstances. If I was to live over again, I would provide for,

"1st. Hospitality; and of all articles of hospitality, for fire and candle light. A table is not quite what it was; though still a very powerful assistant, but I have observed it made up by exertion and ingenuity.

"Education of children comes under this head, for learning and knowledge of the world may be got abroad; but habits, manners, and principles, which in fact constitute education, can only be got at home and by example; and their fate depends in a great measure upon it; for as to fortunes, money is like

* As Sir Walter Raleigh and Cardinal de Retz used to say about servants. (Note by Lord Shelburne.)

seed; it is the soil, and not the quantity of seed, which produces.

"2. All manner of repairs.

"3. A degree of becoming representation, such as should harmonize best with my general views.

"4. Private expenses. Under this head it should be remembered, that a few hundred pounds judiciously bestowed from time to time through life, pay the best interest, and give most satisfaction of any expenditure, after that of hospitality and decency; but guard against granting annuities out of your own power, be the services what they may, either in the instance of tutors, agents, or servants. Let it be remembered that there is not difference enough between man and man, nor can one man do anything to serve another sufficiently important to make it worth while; especially in the case of purchased services, which, at least at setting out, proceed on other considerations than those of heart and sentiment. I speak distinctly as to this point, for I have been the dupe of it to a considerable amount, which I hope will prove a warning to those who come after me, and prevent them from purchasing experience at so dear a rate. I am sensible that the other sex forms another consideration. They are certainly objects of liberality and delicacy beyond any other relation in life, but it should be remembered what should make them so, is their being made

up of heart and sentiment, and being insensible to interest and design. When it is otherwise, it must alter the nature of the connection to any man, who gives himself time for a moment's reflection. It may be laid down as a rule, that in all cases where confidence must be placed on one side or the other, it is just and reasonable that it should be on the side of the giver, and every man owes it to himself to insist on it. In case of death it is different, and it is highly becoming to reward services in proportion to their importance, by your own act, and not to leave those to whom you are virtually indebted, at the mercy of those who come after you, be they ever so honourable. There may be very particular cases where a separation takes place after a long connection, which may make it noble to render the party independent even of yourself, but it should be after and not before, and never conditioned for.

"5. What's called taste and fancies.

"All economy as I have already said, and consequently all existence in society, depends upon half yearly receipts and weekly expenditure. For this purpose, the following accounts must be punctually and obstinately insisted upon at the several dates which are stated, if none more convenient can be suggested; but, whatever they are, they should be fixed and unalterable.

"Weekly household expenditure, every Wednesday at —— o'clock.

"Monthly account of every other expenditure, and inspection of the banker's balance, the first Wednesday of every month.

"Half yearly abstract of all agents' receipts, on the second Wednesday in September and March.

"Annual abstract of the preceding year's receipt and expenditure, on the second Wednesday of March.

"Weekly accounts of work or any country expense should be sent you, wherever you are; and no tradesman to be paid who does not bring in his charge within the week for whatever is ordered, to the steward's office.

"By entering the four principal accounts in a book or books, the whole may be made linear, and a single glance of the eye suffices to any man who has resolution enough to know the state of his affairs at setting out, or to get it done for him, and to form a judgment of what he can and what he cannot afford to expend.

"Of all the follies the greatest is that, which formerly was practised and is still continued in some great families, that of having some considerable lawyer or some eminent man of business at a considerable salary to audit your accounts. There is a family whose fortune was entirely made by the

father's auditing the accounts of different estates, which many of the owners were infinitely more capable of auditing. It is generally understood, that when a very great family in London found themselves much distressed, they could not, from motives of false shame, dismiss an auditor who had 400*l.* or 500*l.*, for doing what they could so much better do themselves, besides saving the salary, which would have proved a very seasonable relief. Dealers in money, like butchers who deal in blood, lose all manner of feeling for that by which they get their livelihood, and it is next to impossible that men who serve many masters or indeed more than one, should be capable of much attachment.*

"Let it be always remembered that saints are rare to be found after a certain age, an observation which holds good even of the clergy.

"The Christian world has ever been divided into two parts, clergy and laity, distinguished both by dress and manners from each other. The clergy everywhere affect a superiority, and in consequence claim to be indulged with peculiar power and privileges. It was natural that when this pre-eminence was once established in the minds of the

* Lord Shelburne used to tell me, that a man of high rank, who looks into his own affairs, may have all that he ought to have, all that can be of any use, or appear with any advantage, for five thousand pounds a year.—"Boswell's Johnson," iv. 120.

degraded laity, the clergy should get the countenance of the legislature for the framing of laws, not only to preserve their own dignity, but to prevent the interference of the people in ecclesiastical concerns. Hence ecclesiastical courts, ecclesiastical ranks and titles, ecclesiastical dress, all repugnant to the spirit of Christianity. The laity like brute beasts sit tamely under this usurpation. A man, if a priest or minister enters, is not a master of his own house; he must not thank God for the blessings of Providence at his own table; he cannot pledge his faith to a lovely woman without the interference of the priest; his offspring must be sprinkled by sacred hands, and at death he is not committed to his long home without another spiritual incantation.*

"That mankind should embrace the Christian or any other religion, and devote themselves to obey its dictates and cultivate its precepts from various motives, I can easily comprehend, or on the other

* See a suppressed pamphlet by William Friend, M. A., Fellow of Jesus College, Cambridge. (Note by Lord Shelburne.) Compare Gibbon, 'Decline and Fall,' ch. xv. "The progress of the ecclesiastical authority gave birth to the memorable distinction of the laity and of the clergy, which had been unknown to the Greeks and Romans. The former of these appellations comprehended the body of the Christian people; the latter, according to the signification of the word, was appropriated to the chosen portion that had been set apart for the service of religion; a celebrated order of men which has furnished the most important, though not always the most edifying, subjects for modern history."

hand, that a man after every investigation his faculties enable him to make, should sit down a perfect sceptic, I can easily comprehend; but how it is possible that the mass of mankind do not trouble their minds upon the subject, which they certainly do not, but follow each other like a herd of cattle going to a pond, is beyond all comprehension, and furnishes endless ground for reflection upon the nature of man, the purposes of his existence, and the limits of his faculties. I consider it as one of the happiest circumstances of my life, that I was able to make up my mind on this most important of all subjects, and that so decidedly, that an uneasy thought has never entered my mind after having once made it up. I consider man as placed in the midst of a beautiful garden containing fruits, flowers, plants, animals, in short everything the most lively imagination can desire, surrounded with great and inaccessible mountains. The wise part of mankind are content to remain in the garden, and quickly see that the door beyond is shut; the foolish part are continually struggling against nature, and trying to ascend. No man can observe the wonderful order which prevails throughout the world, but must be convinced that there was a First Cause. No man can reflect upon all he sees, without feeling that it is not intended, in this life at least, that he should know more. What has he then to do

but to follow the dictates of his best reason, to do all the good he possibly can, to follow those rules and precepts in which all religions agree, and wait with patience and with confidence the will of the All-powerful Creator.

"To return to the management of property.

"In future it will be well in the first place *to let no leases in England exceeding three years, and none in Ireland exceeding twenty-one.* The arguments on the other side are specious, such as that tenants will not improve without leases; that by letting for lives in Ireland, the tenant continues improving to the last moment, not knowing how long his lease may last, whereas if it be for years they take care to get all they can out of the ground before the expiration of the lease, and to leave the ground heartless and exhausted; lastly, the loss of the character and reputation of a good landlord in the country; but these arguments I have learned by dear-bought experience to be fallacious and ill-founded.

"In the first place, tenants do not improve in general. Where it does happen, let them be paid for doing so, and not cheated out of their money, their industry, or their confidence. Let the character of a good landlord consist in doing strict justice in this respect; but what is still better, let it be the subject of a particular agreement, at the time when the improvement takes place. But examine

and it will be found universally, that the rise of estates has not been owing to the improvement of farmers, but to the increased plenty of money, the increased price of every product, the introduction of manufactures, and the improvement of all communications and markets, advantages which should belong to the landlord, else he must be behindhand in his natural character of consumer.* It may be said that it is absolutely necessary to avoid the expense and trouble of building in regard to cottages and mills; but it will be shown hereafter, that cottages form the species of property of all others which should be kept in a landlord's power; and in regard to mills, there are many circumstances which will be found to repay very amply any extraordinary attention or expense which a landlord may be induced to bestow upon them in the common course. Where the question occurs about any extraordinary undertaking, the magnitude of the improvement will justify a distinct and separate consideration, to be confined to that one object only. Why is agriculture to be made the subject of gambling? It is of all others the profession which should be regulated by the most even justice.

* The argument apparently is that increased rents will be more wisely distributed by the landlord than increased profits by the farmer. For the further development of this position, see the passage below, beginning "If there was no other reason for the raising of rents, &c."

"Lastly, as to the character of a good landlord. Indiscriminate indulgence, which generally gives the character of a good landlord, never fails to be attributed to its true motives, namely, either ignorance, timidity, or indolence. Since farming has become a trade, it ceases to become an object of liberality more than any other trade. It requires a capital equal to what most trades do. The question with a farmer is no longer simply what the ground produces, but what interest he can make of his capital in such ground and such a situation, all circumstances considered; besides what can be made by speculation upon the fluctuation of markets, in the manner of merchants and often of stock-jobbers. A man is counted a sorry farmer who does not take all this into consideration.

"In regard to the landlord, farmers of course make the best bargain which they can. They are necessarily a shrewd, sagacious, advantage-taking description of men, who have but one thing to think of; whose common interest it is to keep down the value of land, and who have a perpetual communication with each other at markets. They have no education, and no character to preserve, except what is material to their dealings with each other. In consequence, they look to nothing but gain. They govern the voice of the country so far as regards their own purposes, it being nobody's

business to contradict them except the landlords', who comparatively form a small body, inactive, ignorant, and timid. Besides, there is a general tendency to take part with the many against the few, always against the one. There is a false principle of justice and always popularity in this. But while a landlord thinks he is doing good by not raising his rents, and that he at least gains the esteem and good-will of the country, it is the business of the farmers to persuade every one, and if possible the landlords themselves, that the best landlord is a hard one; that it is as much as they can do to live upon the rent; and that whatever may be their fortune, it is made some other way; in order to prevent the value of land from being known, and the general price of it raised, which must affect all farmers in their turn.

"But there is another description upon whom too much liberality can never be bestowed. If there was no other reason for raising rents, it would become an act of piety to do it, to bestow upon the cottagers or agricultural poor, the strength and wealth and glory of England, who must be the means of saving the country, when the misers of farmers have sold it (as they will any thing for the sake of lucre), and of restoring the race of men after the manufacturers have debased it. While the hoggish farmer grudges bread to every thing around

him, and while the manufacturer abounds in wealth (from the upstart master, who finds himself possessed of a fortune, for which he was not educated, and consequently considers it only as the means of insolence, down to the wretched weaver, who knows no other use of high wages except to be idle two or three days in the week, or to ruin his constitution and that of his family by debauchery and spirits), the agricultural poor are dying through want, the prey of every disorder which results from poverty, filth, cold, and hunger, with laws intended for their relief, but so ill adapted to the present state of things and so shamefully executed,* that they only serve to multiply their numbers, to lower the few feelings they have left, and to stifle every exertion on their part.

"The agent, who has always his own advantage in leasing, will say that the cottages will tumble. Let the landlord build them. The custom now is for a wealthy farmer, tradesman, or mason, to pay a fine to a lord of the manor or any other landlord, for a small spot of ground, on which he builds a cottage, and hucksters it out to whatever poor men will give the most for it, no matter whom; by which means poachers, smugglers, thieves, and even highwaymen

* See the speech of Mr. Gilbert, March 27th, 1775, in moving for a Committee on the Poor Laws.—"Parliamentary History," xviii. 541. Compare Lord Shelburne to Jeremy Bentham. Bentham's Works, x. 88.

are sure to find a receptacle, where they are independent, and out of the power of anybody, till they become subjects of legal conviction; on their road to which they commit a variety of crimes, before a prosecuting officer or the law can reach them; whereas were the landlord to keep the cottages in his own hands, he would necessarily have a wholesome and natural authority over the poor, could govern their morals, and preserve the peace of the country in case of riots or any public disturbances, as numbers must decide. Again, by this means you will be welcome on your estate; your estate will be your own, your influence your own, and, what is more than all, the most numerous class of people will be your own, instead of your being an unwelcome stranger surrounded by upstarts and beggars.

"The second indispensable rule in regard to farms is, to make *no promise whatever direct or indirect by word of mouth, but by writing, either yourself or by your agents*; trusting nothing to memory, but insisting on no man being suffered to take possession without executing the instrument, whatever it may be, under which he is to hold. There is nothing so disagreeable as to trust, at least in business, to another man's word and consequently to his memory, except it be to have any man trust to yours. It compromises you perpetually with low people, who

must necessarily have the advantage, and in Ireland it is the foundation of perpetual law-suits, and if a tenant once gets possession, it is at his option afterwards when he will sign his lease or agreement, or whether he will sign at all, by which you lose all the benefit, and he, as the law stands, has all the advantage of the lease.

"The third indispensable rule is *to fix no rent whatever, without taking the opinion of at least two different men of business, one upon the spot and one from a distance.* As it does not become respectable families to be perpetually raising the rents of the same tenants, where no particular reason calls for it, it is the more incumbent upon them when a landlord or tenant dies or retires, to get the full value; as the advantage afterwards is all on the tenants' side. For this reason it is material to suffer no tenant to make over his interest, or to have any thing to say in regard to his successor. A stranger's opinion is necessary to be added, because it is next to impossible that a resident agent be not under some influence, where he has no interest of his own; which however he most commonly has, or else he has some relations or friends who have, or is governed by the cry of the neighbourhood. Honesty and dishonesty have so many shades, that there are very few men who do not find out some salves for their conscience, especially in their own trade; but by employing two

people always, you are sure to do away with a great many shades. Besides, a man from a distance naturally suggests improvements, the result of experience and general practice. I am persuaded myself, that a mixture of men as well as of soils, answers all the purpose of a wholesome fermentation; and a stranger will introduce strangers if necessary.

"The influence of feudalism can still be traced in all the arrangements of English property. We are still living amidst the dregs of it, and the same observation applies to the Governments of most European countries.

"I have been told by persons who have resided in Canada and Russia that the most disagreeable time of the whole year is the interval between winter and summer, when the ice begins to break, the roads for a time become next to impassable, and the country answers no purpose of utility or pleasure. I have often thought that most of the Governments in Europe are precisely in this situation.' We have no modern instance of any country undergoing a complete, intentional, and systematical change. In most countries the changes are unintentional, without system and insensible. A form of Government which may suit a people in one century becomes totally unadapted to another. Government and people are perpetually changing, without either being aware of it, which of itself must produce confusion.

Government becomes weaker and the people stronger insensibly. Consider the progress of the Government of England.

"I copied out of the oldest of the Privy Council Books the first page, which gives a more just idea of the mode of Government than a thousand histories.* The Feudal Government under the Tudors had already resolved itself into positive despotism. I have always wished to have time to examine into the sources and origin of Magna Charta and several laws about that time, and to compare the compass and liberal spirit of those laws with the extracts above mentioned. There is another point of which I have long wished to investigate the reason, viz.: that the Feudal Government was so universal; whether it came from any natural cause, or from some country whose history is lost in antiquity. Our Government continued a despotism administered with admirable wisdom by Queen Elizabeth, whose reign was the only example of *regular* Government which I can trace in our History. A democratical spirit or rather a spirit of freedom, began even then to show itself, but her resolution and sagacity knew how to keep it down without losing the affection of her subjects. See her speeches to her Army and her Parliament. At her death the two Governments of

* It is not clear to what Lord Shelburne refers. The first page of the oldest of the Privy Council Books (32 Henry VIII.) does not contain any entries which can be indentified with the above passage.

France and England were as nearly as possible the same. It is curious to observe how they came to take different courses, which I attribute to the different character of the sovereigns, at least as the principal cause.* France had the wonderful good fortune to have *three* sovereigns in succession, who were exactly calculated to raise their throne and country to the utmost pitch of grandeur, while the weak and bigoted house of Stuart, in the person of four sovereigns of that name, by their thirst and love of absolute power and their incapacity, kept us occupied at home, and laid the foundation of that liberty which will yet, I hope, stand many struggles, and by this means procured us what was more worth than all the French conquests and more adapted to our national character. Lewis XIII. had sense enough to stand by Cardinal Richelieu, though he disliked him. Charles I. abandoned and betrayed Lord Strafford—in every respect Richelieu's pendant—though he liked him. Lord Strafford's letters deserve to be read with a view to England and to Ireland. The Irish State Papers indeed will be found to contain the best information regarding the Court and country of England: the reason is simple, that Ireland being the dependent country, and not the seat of Government, every-

* Compare Lord Shelburne to Jeremy Bentham. Bentham's Works, x. 195.

thing was necessarily committed to writing. It will be seen in this interesting correspondence how ready Strafford was, from the love of power, to sacrifice both the religion and liberty of his country, while the little party about the Queen thwarted his every design, sometimes finding that he did not go fast enough, at other times using the sure argument against all able men, that he was too deep to be trusted. The fact is that all Courts and Princes have a dread of talents, and they consider ability and roguery as synonymous. It is a wonderful blessing that while almost all Princes make the extension of their Power the great object of their lives, the narrowness, jealousy and incapacity which for the most part characterises them, deprives them of the only means of accomplishing their object: an honest and capable Minister. Whenever they are driven by opposition or by difficulty to take one, from that moment they become his bitterest enemy, and are indefatigable till they get quit of him, and in many cases sacrifice him. They never want for instruments. Activity is a cheap commodity; liars and libellers, calumniators and intriguers, are always within call to prevent anything like reform. This is what Kings call governing! It has been the same in all times and in all Courts. Mankind never profit by experience. Dr. Franklin used to say that Experience

was the school for Fools. The most profligate woman that walks the Strand can persuade any man that he is the first who has really captivated her. Such are men!

It would be worth while to examine the *lesser* causes which have made the institutions of France and England take such a different bent from the time of Queen Elizabeth and Henry IV. I should like to know when and how it came to pass that all the rights of nobility should be conferred in England on the eldest son, while over the rest of Europe it has been extended to all the children, be they ever so many. The consequence is that every family in England has a mixture of aristocracy and democracy in it. The eldest brother is alone noble, the others all are *people*.

It would have been happy if the right of primogeniture was destroyed altogether or never had existed. Of all the institutions which ever were invented, it is the most calculated to destroy all domestic and public comfort, as well as all public and private virtue. The eldest son instead of being almost a second father to his family, which nature intended him to be, becomes quite estranged from them; instead of being a pattern of order, sobriety, and industry, in the common course of human passions he is only an example to shun, and has neither feelings nor employments in common with

them. In one short generation all younger brothers are sure to be driven from home to beg existence in the army, the church, or in the immediate service of the Court, or in commerce; instead of inheriting a proportionable share of their father's landed property, which is no more than their right, which necessarily would have the effect of attaching them to their native soil, and would be sure to afford them health and affluence, as well as independence both of body and mind. It might have been good, I do not say that it was, in the North of Europe from whence it came to us, where population overflowed and where they were under the necessity of sending out as many as possible to seek their fortunes elsewhere, a reasoning which does not apply to our times, when we have happily all America on the one hand, and the South of Russia, the finest country in the universe, on the other. There numbers are not only welcome, but required, and add wealth from the moment of their arrival, for population, from that of men down to that of the lowest insect, is subject to general invariable rules, easily discovered and easily seconded and enforced.

Boroughs.

"It may not be amiss to say a few words upon the subject of boroughs.

"Family boroughs (by which I mean boroughs which lie naturally within the reach of cultivation of any house or property) are supposed to cost nothing: but I am sure from my own experience and observation, that if examined into, they will be found to cost as much as the purchase of any burgage tenure whatever, by means of what I call 'insensible perspiration.' Like public taxes, the amount is not perceived for a great while, and by some people not at all, because it consists in paying always a little and most commonly a great deal too much on every article, and in every transaction you are confined to a particular set of tradesmen, and often to their connections in town, and can never control their charges. The rents of houses and lands must be governed by the moderation of voters. You must be forthcoming on every occasion, not only of distress, but of fancy, to subscribe too largely to roads, as well as every other project which may be started by the idlest of the people; add to this, livings, favours of all sorts from Government, and stewardships, if there is an intriguing attorney in the town, who under the name of your agent will deprive you of all manner of free agency upon your own property, and sometimes of the property itself, if it is a small one; without mentioning the charge and domestic disorder attending a great deal of obscure hospitality, and a never ceasing management of men and things.

And after all when the crisis comes, you are liable to be outbid by any nabob or adventurer, and you must expect all that you have done to go for nothing, and the most you can look for is a preference. What can you say to a blacksmith, who has seven children, or to a common labouring man who is offered 700*l.* for his vote; or to two misers who are offered 2000*l.*, which are all instances distinctly upon record at Wycombe since Mr. Dashwood's election?

"So far for arithmetical considerations, but this is not all.

"As nothing in the world is or can be in the nature of things fixed, all political institutions are perpetually, though insensibly changing; and it is the business of sagacity to foresee and act upon every approaching change. The House of Commons under its present institution, has had its day, and Parliament itself is no longer considered as Omnipotent as Lord Mansfield used to call it. As knowledge has spread and the representatives have become corrupted, it has ceased to impose, and has no longer the same confidence with the people. It may still do a little good or prevent a little harm of itself, but it is the public opinion which decides, which the House of Commons must obey, as every part of Government must in this and every country of Europe where it shows itself. The extinction of the old parties of Whig and Tory, the depression of the landed interest

from the excess of taxes, the increase of trade, the wealth arising from it, as well as from the East and West Indies, leave individuals more at liberty to consider a seat in Parliament as a means of advancement; but these very circumstances give rise to and foment public opinion, which keeps the House of Commons in a greater state of dependence as a body than has ever been the case heretofore. The Crown, too, being now settled in the House of Hanover, without any apprehension from a Pretender, interferes in a very different manner from what it used to do, and naturally tends to meet the inclination of individuals, without considering that it is Punch whom it is buying, and that the puppet-show will continue only as long as public opinion does.

"It follows therefore from the whole of this, *first*, that you should never seek to extend your parliamentary interest. It is buying in a falling market, for in case of any constitutional convulsion, the change may happen in a moment; but if not, it must and is evidently taking place insensibly. *Secondly*, if a contest is inevitable, not for a small difference of expense or trouble to abandon or even risk any family interest such as you found it; but to calculate betimes, and according to circumstances to choose between the contest in question and purchasing elsewhere; or abandoning the whole upon public principles, by which I mean, appealing from the cor-

poration or body of voters whoever they may be, to the town at large, and afterwards to the public upon grounds of ante-corruption, and upon principles of reason and freedom, and to consider the contest not as ended, but continued on a greater scale to the end of the chapter. Nothing is more easy, as you are acting all the time upon the defensive, in support of what you possess, and of rights which are generally presumed to belong to your property; besides, that power lost in one sense is power gained in another, for the moment you are unhampered with particular personal managements, everything becomes reversed, and you become the terror of evil doers, and your influence bears a just proportion to the extent of your property and the integrity of your conduct. It may be observed here, that towns will be always found the most open to conviction, and among them, the tradesmen and middling class of men. Next to them are the manufacturers, after which but at a great distance, comes the mercantile interest, for in fact they belong to no country, their wealth is movable, and they seek to gain by all, which they are in the habit of doing at the expense of every principle; but last of all come the country gentlemen and farmers, for the former have had both their fortunes and their understandings at a stand, while every thing else has been in motion, and are obliged in consequence to sell their estates, and retire into

towns, where they become different men, and better subjects, but leave the country unhappily not to great proprietors, for they reside only a few months in the year on it, but to the professions, who plunder it; particularly the country attorneys, the scourge of all that is honest or good, and the farmers, who uneducated and centered in their never ceasing pursuit of gain, are incapable of comprehending anything beyond it.

IRELAND.

"This is not the place to enter into the political or moral state of Ireland. It may not be amiss however to observe that it becomes and interests any one, who has property in Ireland, to be acquainted with its general history. Its progress may be distinctly traced by reading the following Books: "Hibernica, a Collection of Ancient Tracts, printed and published in Dublin," "Moryson's Itinerary," "Sydney's State Papers," "Sir John Davis's Works," "Sir William Petty's Works," "Lord Strafford's Letters," "Lord Chancellor Clarendon," and "Ludlow's Memoirs" on what regards Ireland, "Lord Clarendon's (son of the Chancellor) Letters," "Boate's Natural History of Ireland," and several MSS. in the library at Lansdowne House.

"The History of Ireland may be read to considerable advantage, and more than the history of most

countries, for as every other country had always more or less of a settled government, their history consists of little more than an account of sieges and battles, except now and then some civil wars; whereas the History of Ireland is in fact a history of the policy of England in regard to Ireland, and will be found to give the best idea of the principles, knowledge and passions, which prevailed in each reign and characterized the times. It will be found to have always been the shame of England, as Sicily was of Rome and is now of Naples, and Corsica was of Genoa. God never intended one country to govern another, but that each country should govern itself. Ireland has of late made considerable progress, and I imagine its independence would more likely secure its dependence on England.* The circumstance of so many absentees residing in England is become a general complaint in Ireland, and it certainly is a grievance, but not for the reason which is generally given, that it draws so much money out of the country; for this is certainly more than balanced by the great saving in the expenses of Government, by the nature of its connection with Great Britain, the loan of capital, and many other advantages. But the real evil is, that the absence of the rich proprietors retards civilization, the

* See a letter from Lord Shelburne in the "Life of Grattan," by his son, ii. 292, for his views on the above subject.

progress of manners, and many liberal improvements; for though the rich may in some respects set a bad example, yet upon the whole they soften and liberalize, excite industry, and make society by bringing men together, who polish themselves, enforce a due administration of justice, and keep down the professions, whose employment is to rob every country, and if left to themselves, naturally produce upstart manners and a total want of principle. But in fact, nothing as yet has taken its value in Ireland; agriculture itself is a century behindhand. The circumstance of middlemen, that is a landlord under a landlord, so much complained of and so justly and universally condemned, has been one stage in the progress of agriculture in all countries, (as may be seen in several acts of parliament, which passed in England in Queen Mary and Queen Elizabeth's reigns,)* and is the natural consequence of want of capital; but when land takes its value, and when sufficient capital is either introduced or created to answer all the purposes

* The conversion of tillage into pasturage, caused by the increased demand for wool and the high rate of wages which followed the Black Death, is one of the leading features of the history of the fifteenth and sixteenth centuries in England. The graziers were often absentees, and either granted long leases to their tenants, or, as stated above, farmed out their estates to middlemen. A long series of statutes from the 4th Henry VII. c. 19, to the 39th Elizabeth, ch. i., attempted to check the change which was passing over the agriculture of the country, and the results springing from it.

of circulation, and estates become a marketable commodity, property must in its nature follow residence, and this evil must cease.

"It hurts me to do more than allude very generally to the non-residence of most of the clergy, the numberless sinecures, and pluralities, their general manners, the luxury and state which prevails too much among them, the coldness and lukewarmness of the best, who content themselves with delivering or preaching now and then some cold essay, or with publishing once in their lives some literary book, and God knows how rarely they do so much, which has as little to do with the real duty of a parochial clergyman, such as you see it practised even in most Catholic countries, as so much Mathematics or Natural Philosophy. Can it be supposed that the newspapers will supply their place, and inculcate lessons which are calculated to make a man happy here and hereafter?

"But put conscience and all sense of duty out of the question, let the matter be considered with a view to the simple question of interest. Does any reflecting clergyman or friend of the Church suppose that nearly two millions of Catholics, open as they are to the practices of Foreign Powers who know well enough what a good cloak religion still affords, and how powerful an instrument it still remains, and 250,000 Dissenters with the example

of America before their eyes, the only description in the kingdom capable of enthusiasm, well instructed, and from every circumstance of character, situation, and connection, able both to concert and act, will long continue to pay tithes to such an immense amount, to the idle non-resident clergy of the small number which remains?

"Is there anything more likely to strike the minds of an awakened and active people, whose natural character is full of imagination and enterprise, who, fresh from so much political action, cannot be expected to settle all at once and become half-women, than the state of the Clergy and Church revenue? Is it not much better that they should occupy themselves so than cabal with France, Spain, or Austria, or for the Catholics and Dissenters to set to cutting each other's throats, which perhaps some cunning men might wish, as the best means of supporting the Protestant clergy in their overflow of wealth. What string is there for brilliant lawyers, and intriguing politicians to touch, more likely to smite what's called the Public, and gain them that degree of confidence which they know how to carry afterwards to market. What question so safe and sure?

"Government are of themselves obliged to come to Parliament for a new system of Police. Does it require any great degree of foresight to see that the real causes of all the outrages must very shortly

point themselves out, and that the truth will bolt itself out, where there is nothing to impede it. However unenlightened we are, we have certainly got the length of knowing that Agriculture and morals are the only true foundations of Free Trade or Police. Establish these better than any country in Europe, and your situation will make you masters of everything else. Every blessing will naturally follow, independent of treaties or negotiations at home or abroad. Ludlow says somewhere in his Memoirs, that Cromwell, speaking of Ireland, said that Ireland was *clean paper* in many particulars, where such laws might be enacted and justice so impartially administered, *as to be a good precedent even to England itself.** He said that when they once observed property preserved and improved

* "Said he, 'the sons of Zeruiah are yet too strong for us; and we cannot mention the reformation of the law, but they presently cry out, We design to destroy property; whereas the law, as it is now constituted, serves only to maintain the lawyers, and to encourage the rich to oppress the poor;' affirming that Mr. Coke, then justice in Ireland, by proceeding in a summary and expeditious way, determined more causes in a week than Westminster Hall in a year; saying further, that Ireland was as clean paper in that particular, and capable of being governed by such laws as should be found most agreeable to justice; which may be so impartially administered as to be a good precedent even to England itself; where when they once perceive property preserved at an easy and cheap rate in Ireland, they will never permit themselves to be so cheated and abused as now they are."—"Ludlow's Memoirs," vol. i. p. 319, ed. 1698. See also vol. i. p. 23.

at an easy and cheap rate, they would never suffer themselves to be so cheated and abused, and yet it was not Cromwell's object to disunite England and Ireland.

"Will any reasonable and impartial friend of the Church pretend, that the clergy in their present state assist progress one hundredth part as much as they impede it. I earnestly wish that my Lords the Bishops and other wise men among the clergy would reflect before it is too late. Let them but consider for a moment the strength of the several works which they have to defend, and the numbers and circumstances of the army which they have, to defend them. I put all Philosophy out of the question; but it might be expedient in them to look back a little, and think how old the Reformation is, under what a variety of disadvantages it took place, how imperfectly it extended itself to Ireland, how barbarous all the jurisdiction of the Bishops' court is, how inconsonant with the law of the land, and how much more so with the temper of the times, what the conviction of all Europe is upon the subject of Ecclesiastical Rights, and what proceedings are now depending in different countries, but above all, where the citadel is to which they can retire in case of attack. If the subject is once started, it will run like wildfire!

"It is to be hoped that churches will be built

everywhere in consequence of the encouragement already held out; if it is not sufficient, let it be increased. But supposing there to be no Church, it is no excuse for want of residence. A clergyman may and ought to do a great deal of good out of his Church. Let every church preferment remain vacant for a complete year after it falls, and the income be applied in the first instance to such improvements as may be indispensably necessary to enable residency, and afterwards to the increase of small livings within the respective dioceses or within the kingdom, as may be judged most expedient. Let a Commission be appointed, composed of Bishops and Judges with the Lord-Lieutenant to preside, in order to regulate the extent of all parishes, so that each parish may come within the immediate superintendence of one clergyman. Let a Committee be appointed of both Houses to consider of a general commutation throughout the Kingdom for Tythe. Other regulations may still suggest themselves, but if this much was done I am satisfied it would avert the growing storm, and give the Clergy a new and I hope a perpetual lease of their situation. They would gain power and deserve it. Instead of looking to Government for support, they would be the support of it.

"In the management of property in Ireland, after thirty years' experience, I have found three

rules proper to be observed. 1st. *To be continually on your guard against the encroachment of agents.* There is no gentleman in Ireland, let his fortune be what it will, who is above accepting and even soliciting the care of an absentee's affairs, except it be perhaps persons of the very first rank, and that only lately; which sufficiently explains the advantage which has been taken. There is no one whom you can employ, let his origin be ever so obscure, except it be a man in trade, who will not sooner or later take upon himself the pretensions of a gentleman; and as to sending over some one from England, Sir Robert Wilmot used to say, that no one went to Ireland who did not lose his understanding in six months. After trying many experiments, I have found that the best and indeed only method of avoiding imposition is to employ two agents, one resident upon each estate, and the other to go over from six months to six months; which you may always have at two guineas a day, and will be found productive of various advantages to the tenants, as well as the landlord, and to the estate itself. But above all, care must be taken never to let any estate, without the opinion of at least two persons, and one a stranger unconnected with the country; and not to admit for a moment in any conversation or letter, the common jargon about confidence, in opposition to this system. An honest man never desires it.

"2ndly. *To be always on your guard against law*, as the spirit of litigiousness is not to be described. (See the cases of Smith in Limerick, Colelough in Drinna, and Rice in the Queen's County; in no one of which the tenants had the smallest chance of success; nor could any of them afford the expense; notwithstanding which they incurred it in opposition to every remonstrance and every reasonable offer which could be devised.) In all poor countries, the people are litigious; but in Ireland the several laws of settlement and the Popery laws have left the country scarcely a habit of anything else; and law is in all respects more expensive, more confused, and more prolific in Ireland than in England. For these reasons never take a gentleman for tenant, and never suffer any land to be let to a tenant who rents land adjoining, as it always produces disputes about the boundaries.

"Suffer no tenant to take possession till both parts of his lease are executed, and suffer no agent to keep possession of any lease.' For all the ordinary purposes, a memorandum, which he will keep of course, will suffice. If it is wanted in case of any lawsuit to be produced in court, it is always enough to produce it when the trial comes on, and it may be immediately returned to your depot of papers. There is a general persuasion in Ireland that there is no Englishman who may not be bribed or duped.

"3rdly. *To grant no long tenures.*—There are not

only all the reasons against it in Ireland that have been already stated against it in England, but this strong additional one; that in Ireland nothing has taken its value, and everything is necessarily in a more progressive state than in England. In looking back, it will be found that our family have lost not less than 15,000*l.* a year by Sir William Petty's sons or their agents being drawn into acts of which they were not aware, the extent of which they never comprehended, and which after several expensive lawsuits commenced by themselves, as soon as they saw, terminated in establishing against them the several perpetuities in Dublin, Meath, King's County, Limerick, and Kerry, which appear distinctly upon the rental to exceed the above-mentioned sum; a sufficient warning to the family (especially if you take the trouble to examine the several proceedings now remaining in the office) to take care how they give anything under their hand, or make any profession or assurance which can be converted into a promise.

"As to lives in Ireland, it is all a fallacy. First three lives, which is the tenure contended for, is, as is well known, capable of being reduced by the tenants, though not to a certainty, yet to something very like it. Next, the fact is, men do not improve so much upon leases of lives as on leases for years, for this plain reason: the length of the tenure in

one case induces them to take the easiest method of securing a profit with little trouble, by letting it out in small parcels to poor cottiers, who disgrace the land and impoverish it. Again if by accident a tenant occupies such an estate without being checked by his lease, whenever a life gets old, he is sure to prepare for the expiration exactly by the same methods as a tenant for years: in truth he goes further, for there is scarce an instance where a life holds out to an unexpected old age, where the tenant is not so afraid of not cheating you and the ground, that he cheats himself, for fear of 'not being up with you,' as he calls it. I have had applications made to me from Ireland, in the most impertinent manner, for abatements of rent or leases for lives; and when I have come upon the spot, the man has refused to give up his farm, and has asked that I should pay 400*l.* a year clear annuity for the lives of his three sons; without being able to prove or even to assert that he had ever laid out 50*l.* on the farm; nor had he then any improvement in contemplation or any intention of residing upon the farm. Such is my experience of the management of property in Ireland."

THE END.

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